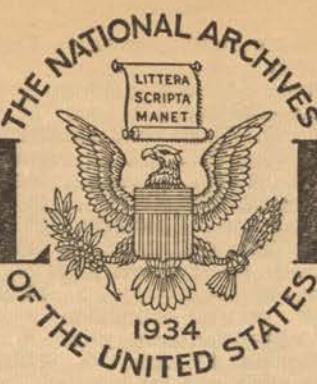


FEDERAL REGISTER



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Washington, Tuesday, December 11, 1945

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5301]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MIRRA CHEMICAL LABORATORIES

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Laboratory:* § 3.66 (c10) *Misbranding or mislabeling—Laboratory status of dealer or seller:* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller.* In connection with the offering for sale, sale, and distribution in commerce, of respondents' product designated "Mirra Moth Immunizer," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, and among other things, as in order set forth, using the word "Laboratories", or any other word of similar import, as a part of or in connection with respondents' trade name; or otherwise representing, directly or by implication, that respondents own or operate a laboratory; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec 45b) [Cease and desist order, Mirra Chemical Laboratories, Docket 5301, October 30, 1945]

§ 3.6 (j10) *Advertising falsely or misleadingly—History of product or offering:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—History of product.* In connection with the offering for sale, sale, and distribution in commerce, of respondents' product designated "Mirra Moth Immunizer," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, and among other things, as in order set forth, representing, directly or by implication, (1) that respondents' product was discovered by Dr. George Washington Carver or that

the formula for said product originated with the said Dr. Carver, or (2) that said product is a "new" or "amazing" or "sensational" discovery; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Mirra Chemical Laboratories, Docket 5301, October 30, 1945]

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Qualities or properties.* In connection with the offering for sale, sale, and distribution in commerce, of respondents' product designated "Mirra Moth Immunizer," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, and among other things, as in order set forth, representing, directly or by implication, (1) that said product kills moths, carpet beetles, or other insects upon contact or that said product will cause the death of insects unless eaten by them; (2) that said product affords permanent protection against moths or other insects or that one application of said product lasts or is effective for years; or (3) that said product will protect or mothproof articles or fabrics other than those made from wool, felt, or fur; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Mirra Chemical Laboratories, Docket 5301, October 30, 1945]

§ 3.6 (b) *Advertising falsely or misleadingly—Competitors and their products—Competitors' products:* § 3.6 (dd-10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.6 (ff10) *Advertising falsely or misleadingly—Unique nature or advantages:* § 3.48 (b) *Disparaging competitors and their products—Goods—Qualities or properties:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Competitive inferiority:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Success, use or standing:* § 3.69 (b) *Misrepresenting oneself and Goods—Goods—Unique nature or advantages.* In connection with the offering for sale, sale, and distribution in

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NOTICE

1944 Supplement

The following books of the 1944 Supplement to the Code of Federal Regulations are now available from the Superintendent of Documents, Government Printing Office, at \$3 per copy:

Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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commerce of respondents' products designated "Mirra Moth Immunizer," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, and among other things, as in order set forth, representing, directly or by implication, (1) that said product is the choice of the textile industry, or (2) that said product is the only product on the market which is effective in preventing damage by moths; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Mirra Chemical Laboratories, Docket 5301, October 30, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of October, A. D. 1945.

In the Matter of J. E. Donaldson, H. M. Donaldson, L. M. Hageman, Individually and Trading as Mirra Chemical Laboratories

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondents J. E. Donaldson and H. M. Donaldson, and a stipulation as to the facts entered into between counsel for the Commission and counsel for the said respondents, which provides, among other things, that without further evidence or other intervening procedure the Commission may enter and serve upon said respondents its findings as to the facts and its conclusion based thereon, and an order disposing of the proceeding; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents J. E. Donaldson and H. M. Donaldson, individually and trading as Mirra Chemical Laboratories, or trading under any other name, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' product designated "Mirra Moth Immunizer," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from:

1. Using the word "Laboratories," or any other word of similar import, as a part of or in connection with respondents' trade name; or otherwise representing, directly or by implication, that respondents own or operate a laboratory.

2. Representing, directly or by implication, that respondents' product was discovered by Dr. George Washington Carver or that the formula for said product originated with the said Dr. Carver.

3. Representing, directly or by implication, that said product is a "new" or "amazing" or "sensational" discovery.

4. Representing, directly or by implication, that said product kills moths,

carpet beetles, or other insects upon contact or that said product will cause the death of insects unless eaten by them.

5. Representing, directly or by implication, that said product affords permanent protection against moths or other insects or that one application of said product lasts or is effective for years.

6. Representing, directly or by implication, that said product will protect or mothproof articles or fabrics other than those made from wool, felt, or fur.

7. Representing, directly or by implication, that said product is the choice of the textile industry.

8. Representing, directly or by implication, that said product is the only product on the market which is effective in preventing damage by moths.

It is further ordered, That said respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

Service of the complaint herein not having been obtained on respondent L. M. Hageman, it is further ordered that said complaint be, and it hereby is, dismissed as to said respondent without prejudice to the right of the Commission to institute further proceedings against said respondent.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-22083; Filed, Dec. 10, 1945;
11:29 a. m.]

[Docket No. 5367]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BONDED PRODUCTS CORP., ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale, and distribution in commerce of respondents' coal combustion device designated "Burn-Rite", or any other device of substantially similar nature, whether sold under the same name or under any other name, representing, directly or by implication, (1) that the use of respondents' device in coal or coke burning furnaces results in savings in fuel of up to 35%, or of one ton of fuel in every seven used, or any other substantial saving in fuel; (2) that the use of said device results in better heating, or better combustion of fuel; or (3) that said device eliminates gases, saves labor in firing, lengthens the firing period, reduces clinkers or ash content, produces clean heat, reduces smoke, soot or dirt, or lengthens the life of boilers or grates; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Bonded Products Corporation, et al., Docket 5367, November 19, 1945]

At a regular session of the Federal Trade Commission, held at its office in

the City of Washington, D. C., on the 19th day of November, A. D. 1945.

In the Matter of Bonded Products Corporation, a Corporation, and A. Edward Beldner, and Joseph Blau, Individually and as Officers of Bonded Products Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondents admitting all of the material allegations of fact set forth in said complaint and waiving all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Bonded Products Corporation, a corporation, and its officers, and A. Edward Beldner and Joseph Blau, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' coal combustion device designated "Burn-Rite", or any other device of substantially similar nature, whether sold under the same name or under any other name, do forthwith cease and desist from representing, directly or by implication:

1. That the use of respondents' device in coal or coke burning furnaces results in savings in fuel of up to 35%, or of one ton of fuel in every seven used, or any other substantial saving in fuel.

2. That the use of said device results in better heating, or better combustion of fuel.

3. That said device eliminates gases, saves labor in firing, lengthens the firing period, reduces clinkers or ash content, produces clean heat, reduces smoke, soot, or dirt, or lengthens the life of boilers or grates.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-22084; Filed, Dec. 10, 1945;
11:29 a. m.]

[Docket No. 5065¹]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LEMUUEL FIRTH, ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with the offering for sale, sale, and distribution of fish in commerce, and on the part of respondent

¹ See 10 F.R. 6641.

Lemuel Firth, and 18 other individuals (owners or masters or both of fishing boats operating out of the city of Gloucester, Mass., and engaged in catching fish, particularly mackerel, in fishing grounds located more than three miles from shore in that portion of the Atlantic Ocean adjacent to the State of Massachusetts and adjoining States, and in the transportation and sale of such fish to dealers located in the cities of New Bedford, Boston, and Gloucester, Massachusetts), and on the part of the agents, representatives, and employees of said individuals, entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to instant proceeding, to (1) restrict the quantity of fish to be caught and sold to dealers; (2) fix the price at which fish are to be sold to dealers in any market, or establish or maintain any price differential between or among different markets; (3) prescribe the length of time a boat carrying fish to market shall remain in port; (4) prohibit the use of the radio phone in carrying on negotiations for the sale of fish; (5) hold meetings for the purpose of reaching agreements governing the quantity of fish to be caught or the price at which fish are to be sold; or (6) engage in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform prices for fish; prohibited, subject to the provision, however, that the order shall not be construed so as to impair any right of respondents to organize and act in the manner and to the extent provided for by the Act of Congress authorizing associations of producers of aquatic products approved June 25, 1934 (48 Stat. 1213-1214; 15 U.S.C., sec. 521-522). (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Lemuel Firth, et al., Docket 5065, October 22, 1945]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 22d day of October, A. D. 1945.

In the Matter of Lemuel Firth, Cyril Dyett, Jack Barrett, Frank Foote, Cy Tysfer, Benedetto Randazza, Phillip Curcuru, Thomas Scola, Joseph Sinagra, Peter Scola, Joseph Parisi, Frank Mineo, Isadore Tarantino, Peter Mercurio, Paul Scola, Jerome Frontiero, Philip Nicastro, Leo Favalo, and Alphonse Mineo

This proceeding having heretofore been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence introduced before a trial examiner of the Commission heretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, and brief in support of the complaint (no brief having been filed on behalf of respondents and oral argument not having been requested), and the Commission having made its findings as to the facts

and its conclusion that the respondents had violated the provisions of the Federal Trade Commission Act, the Commission on May 4, 1945, issued and subsequently served upon the respondents its order requiring the respondents to cease and desist from the acts and practices therein set forth:

And the respondents having on June 28, 1945, filed with the Commission a petition for the modification of said order to cease and desist in certain respects, and the Commission having duly considered said petition and the record herein and being now fully advised in the premises:

It is ordered, That said order to cease and desist be, and it hereby is, modified to read as follows:

It is ordered, That the respondents, Lemuel Firth, Cyril Dyett, Jack Barrett, Frank Foote, Cy Tysfer, Benedetto Randazza, Phillip Curcuru, Thomas Scola, Joseph Sinagra, Peter Scola, Joseph Parisi, Frank Mineo, Isadore Tarantino, Peter Mercurio, Paul Scola, Jerome Frontiero, Philip Nicastro, Leo Favalo, and Alphonse Mineo, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of fish in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to do or perform any of the following acts or things:

1. Restricting the quantity of fish to be caught and sold to dealers.

2. Fixing the price at which fish are to be sold to dealers in any market, or establishing or maintaining any price differential between or among different markets.

3. Prescribing the length of time a boat carrying fish to market shall remain in port.

4. Prohibiting the use of the radio phone in carrying on negotiations for the sale of fish. *

5. Holding meetings for the purpose of reaching agreements governing the quantity of fish to be caught or the price at which fish are to be sold.

6. Engaging in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform prices for fish.

Provided, however, That this order shall not be construed so as to impair any right of respondents to organize and act in the manner and to the extent provided for by the Act of Congress authorizing associations of producers of aquatic products approved June 25, 1934 (48 Stat. 1213-1214; 15 U.S.C., sec. 521-522)

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this modified order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.
[F. R. Doc. 45-22035; Filed, Dec. 10, 1945;
11:29 a. m.]

[Docket No. 4389]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

STANDARD OIL CO.

§ 3.45 (c) *Discriminating in price—Direct discrimination—Charges and prices*: § 3.45 (d) *Discriminating in price—Functional Classification*. Discriminating, directly or indirectly, in the price of gasoline of like grade and quality as among purchasers, prohibited in connection with the sale of gasoline in commerce, (1) by selling such gasoline of like grade and quality to competing purchasers at different prices in the manner and under the circumstances found in paragraph four of the findings as to the facts and conclusions: [i. e., as there set forth, discriminating in price by selling its gasoline for resale direct to the purchasing public to four concerns, classified as jobbers, at prices which were substantially lower than the prices charged its other retailer-customers in the Detroit metropolitan area for gasoline of the same grade and quality, when said jobbers owned or operated one or more gasoline stations in said area where said gasoline was resold to consumers thereof in competition with other retailers purchasing from the respondent or from other manufacturers, including the sale to such jobbers of respondent's Red Crown gasoline at 1½ cents per gallon lower than the prices charged by it for the same gasoline to its other retail dealers in said area]; (2) by continuing or resuming the discriminations in price referred to and described in paragraph four of the Commission's findings as to the facts herein; (3) by otherwise discriminating in price between purchasers of gasoline of like grade and quality in a manner and degree substantially similar to the manner and degree of the discriminations referred to in paragraph four of the Commission's findings as to the facts herein, and in any other manner resulting in price discriminations substantially equal in amount to such discriminations; (4) by selling such gasoline to some retailers thereof at prices different from the prices charged other retailers who in fact compete in the sale and distribution of such gasoline; (5) by allowing to any dealer, jobber, or wholesaler on gasoline sold by such dealer, jobber, or wholesaler at retail, a lower price than the price which respondent charges its retailer-customers, who in fact compete in the sale and distribution of such gasoline with such dealers, jobbers, or wholesalers in their retailing activity; or (6) by selling such gasoline to any dealer, jobber, or wholesaler at a price lower than the price which respondent charges its retailer-customers who in fact compete in the sale and distribution of such gasoline with the retailer-customers of such dealers, jobbers, or wholesalers, where such dealers, jobbers or wholesalers resell such gasoline to any of its (sic. their?) said

retailer-customers at less than respondent's posted tank-wagon price or who directly or indirectly grant to any such retailer-customer any discounts, rebates, allowances, services or facilities having the net effect of a reduction in price to the retailer; it being provided that for the purpose of comparison the term "price" as used in the order takes into account discounts, rebates, allowances, and other terms and conditions in sale, and it being further provided as respects prohibition (4) that the same shall not prevent price differences of less than .5 cents per gallon which do not tend to lessen, injure, or destroy competition among such retailers; and as respects prohibition (5), that the same shall not prevent price differences of less than .5 cents per gallon which do not tend to lessen, injure, or destroy competition with such dealers, jobbers, or wholesalers in the sale of gasoline direct to the consuming public. (Sec. 2 (a), 49 Stat. 1526; 15 U.S.C. Sec. 13 (a)). [Cease and desist order, Standard Oil Company, Docket 4389, October 9, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of October A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission as amended, answer of the respondent, testimony and other evidence in support of the allegations of said complaint as amended and in opposition thereto taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of subsection (a) of section 2 of an act of Congress entitled, "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (Clayton Act), as amended by Act approved June 19, 1936 (Robinson-Patman Act);

It is ordered. That the respondent, Standard Oil Company, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the sale of gasoline in commerce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of such gasoline of like grade and quality as among purchasers:

1. By selling such gasoline of like grade and quality to competing purchasers at different prices in the manner and under the circumstances found in paragraph four of the aforesaid findings as to the facts and conclusion.

2. By continuing or resuming the discriminations in price referred to and described in paragraph four of the Commission's findings as to the facts herein.

3. By otherwise discriminating in price between purchasers of gasoline of like grade and quality in a manner and degree substantially similar to the manner and degree of the discrimination referred to in paragraph four of the

Commission's findings as to the facts herein, and in any other manner resulting in price discriminations substantially equal in amount to such discriminations.

4. By selling such gasoline to some retailers thereof at prices different from the prices charged other retailers who in fact compete in the sale and distribution of such gasoline; *Provided, however,* That this shall not prevent price differences of less than .5 cents per gallon which do not tend to lessen, injure, or destroy competition among such retailers.

5. By allowing a lower price to any dealer, jobber, or wholesaler on gasoline sold by such dealer, jobber, or wholesaler at retail, than the price which respondent charges its retailer-customers who in fact compete in the sale and distribution of such gasoline with such dealers, jobbers, or wholesalers in their retailing activity; *Provided, however,* That this shall not prevent price differences of less than .5 cents per gallon which do not tend to lessen, injure, or destroy competition with such dealers, jobbers, or wholesalers in the sale of gasoline direct to the consuming public.

6. By selling such gasoline to any dealer, jobber, or wholesaler at a price lower than the price which respondent charges its retailer-customers who in fact compete in the sale and distribution of such gasoline with the retailer-customers of such dealers, jobbers, or wholesalers, where such dealers, jobbers or wholesalers resell such gasoline to any of its said retailer-customers at less than respondent's posted tank-wagon price or who directly or indirectly grant to any such retailer-customer any discounts, rebates, allowances, services or facilities having the net effect of a reduction in price to the retailer.

For the purpose of comparison the term "price" as used in this order takes into account discounts, rebates, allowances, and other terms and conditions of sale.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-22082; Filed, Dec. 10, 1945;
11:30 a. m.]

20.6 (a) and (b)), is hereby amended as follows:

1. Subparagraphs (1) and (2) of paragraph (a) are amended to read:

(1) Internal-revenue taxes

(2) Expenses of advertising and sale

2. Paragraph (b) is amended to read as follows:

(b) In the case of merchandise entered for warehousing which is warehoused in public stores, the charges due for storage and labor shall be paid next after the expenses of sale.

(Secs. 491, 492, 493, 559, 624, 46 Stat. 726, 727, 744, 759, secs. 14, 23 (a), 52 Stat. 1083, 1088; 19 U. S. C. 1491, 1492, 1493, 1559, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: December 6, 1945.

FRED M. VINSON,
Secretary of the Treasury.

[F. R. Doc. 45-22078; Filed, Dec. 10, 1945;
10:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter I—Bureau of Mines

Subchapter D—Electrical Equipment, Lamps, Methane Detectors; Tests for Permissibility; Fees

[Schedule 12D]

PART 24—SINGLE-SHOT BLASTING UNITS

Abstract of manuscript for Schedule 12D, Single-Shot Blasting Units. Schedule 12D, issued by the Bureau of Mines, Department of the Interior, gives the requirements as construction of single-shot blasting units under which satisfactory units may be approved for use in gassy mines.

These requirements provide that the unit to be approved shall not give electric sparks that can ignite explosive mine atmospheres; shall have adequate capacity to insure firing a single shot; be designed to minimize the possibility of accidental contact to the firing circuit; have adequate strength consistent with a reasonable length of service, and shall not spill or leak electrolyte under conditions of use.

Instructions are given concerning applications for approval, the conditions under which the tests are made, and the fees charged.

Sec.

- 25.0 Authorization and purpose.
- 25.1 Fees charged.
- 25.2 Application for approval.
- 25.3 Conditions governing investigations.
- 25.4 Requirements for approval.
- 25.5 Materials required for Bureau of Mines records.
- 25.6 Approval.
- 25.7 Approval plate.
- 25.8 Withdrawal of approval.
- 25.9 Future changes in design.

AUTHORITY: §§ 25.0 to 25.9, inclusive, issued under 47 Stat. 410; 30 U. S. C. 7.

§ 24.0 Authorization and purpose. Investigations conducted under this part are authorized by the act of Congress (37 Stat. 681) approved February 25,

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51365]

PART 20—DISPOSITION OF UNCLAIMED AND ABANDONED MERCHANDISE

PROCEEDS OF SALES

Section 20.6, Customs Regulations of 1943, relating to the payment of charges from the proceeds of sale, amended.

Section 20.6 (a) and (b), Customs Regulations of 1943 (19 CFR, Cum. Supp.,

1913. This act, as amended June 30, 1932 (47 Stat. 410), contains the following provisions in regard to fees charged for investigations by the Bureau of Mines:

For tests or investigations authorized by the Secretary of the Interior under the provisions of this act, as amended and supplemented, except those performed for the Government of the United States or State Governments within the United States, a fee sufficient in each case to compensate the Bureau of Mines for the entire cost of the services rendered shall be charged according to a schedule prepared by the Director of the Bureau of Mines and approved by the Secretary of the Interior, who shall prescribe rules and regulations under which such tests or investigations may be made. All moneys received from such sources shall be paid into the Treasury to the credit of miscellaneous receipts.

The purpose of investigations under this part is to promote the development of safe types of single-shot blasting units that may be used in mines, especially in mines that may contain methane or inflammable dust in dangerous proportions. Lists of such units will be published from time to time so that State mine-inspection departments, compensation bureaus, mine operators, miners, and others interested in safe equipment for mines may have information regarding permissible blasting units. This part supersedes Schedule 12C issued under date of July 16, 1940 (30 CFR, Cum. Supp., Part 24), and goes into effect when approved by the Secretary of the Interior.

Any blasting unit that meets the requirements set forth in this part will be termed "permissible" by the Bureau of Mines.

§ 24.1 Fees charged. (a) The fee for a complete investigation under this part is \$25 for a unit of the dry-cell type and \$50 for units of the storage-battery and magneto types. A certified check or bank draft for the amount, payable to the Treasurer of the United States, should be submitted for deposit at the time the application is made.

(b) The fee for tests covering less than a complete investigation shall be based upon the following charges:

Test	Charge		
	Dry-cell battery unit	Storage- battery unit	Magneto unit
Safety (sparking) test	\$5	\$5	\$10
Spilling test		5	
Life test	3		10
Discharge-voltage test		10	
Firing-capacity test	10	20	20
Dropping test	5	5	5

Application for retests that may be equivalent to more than one-half of a complete investigation should be covered by a deposit for the full fee. Application for tests covering other changes in design that may require less than one-half of a complete investigation should be covered by a deposit for one-half of the full fee. Any surplus will be refunded at the close of the investigation.

(c) Under the present provisions of this part extensions of approvals that do not require tests will be made without charge.

(d) Tests to assist a manufacturer in the development of his unit may be made upon request to the Director of the Bureau of Mines and will be charged for in amounts proportionate to the work involved.

(e) If the blasting unit is in combination with an electric lamp not previously approved, the tests of the lamp parts shall be made under the current lamp schedules¹ and charged for accordingly.

§ 24.2 Application for approval. Before the Bureau of Mines will undertake the active investigation leading to approval of any blasting unit, the manufacturer shall make application by letter for an investigation of that unit.

A suggested form of application follows:

THE DIRECTOR OF THE BUREAU OF MINES,
Department of the Interior, Washington,
D. C.

DEAR SIR: We hereby make application for approval of the _____ single-shot blasting unit, under the provisions of Schedule 12D. Attached is a certified check for _____ dollars (\$_____), made payable to the Treasurer of the United States, to cover the fee for the investigation of this unit.

A copy of this application, one set of drawings and one complete unit are being sent to this Central Experiment Station, 4800 Forbes St., Pittsburgh, Pa., marked for the "Attention of the Supervising Engineer, Electrical-Mechanical Section."

(Signature of Applicant)

§ 24.3 Conditions governing investigations. (a) One complete blasting unit, with drawings that show the construction of the device and the materials of which it is made, should be forwarded to the Central Experiment Station at the time the application for tests is made.

(b) When this has been inspected by the Bureau's engineers, the applicant will be notified as to the amount of material that will be required for the tests.

(c) The applicant will be notified of the date on which the tests will be started and will be given an opportunity to witness the tests.

(d) No one is to be present at the time the tests are made, except the necessary Bureau of Mines engineers, their assistants, a representative of the applicant, and such other persons as may be mutually agreed upon by the applicant and the Bureau.

(e) Permissibility tests will not be made unless the unit has been completely developed and is in a form that can be marketed.

(f) The results of the tests shall be regarded as confidential by all present at the tests and shall not be made public in any way before the shot-firing unit is formally approved by the Bureau of Mines.

(g) No verbal report of approval or disapproval will be made to the applicant. After the Bureau's engineers have considered the results of the tests, a formal report of the approval or disapproval will be made to the applicant in writing by the Director of the Bureau of Mines. The applicant shall not advertise the unit as being permissible or as

having passed the tests before he receives formal notice of approval.

§ 24.4 Requirements for approval. Single-shot blasting units approved under this part shall be practical in construction and operation as well as suitable for service conditions underground. They shall offer no probable ignition hazard when used in gassy mine atmospheres. They shall meet, under laboratory test conditions, the following requirements of minimum performance:

(a) The unit shall fire consistently single electric blasting caps through a total resistance of $4\frac{1}{2}$ ohms.

(b) The unit shall not produce sparks capable of igniting explosive mixtures of methane and air.¹

(c) Units of the battery type shall be designed to prevent accidental connection to the firing circuit.

Batteries (whether of the storage type, or dry cells) having a short-circuit current greater than 10 amperes, shall be enclosed in an effectively locked or sealed housing.

(d) Storage batteries supplying current for both blasting and illumination at the same time shall have ample capacity for the combined service or shall be equipped with an automatic device that cuts off the lamp during shot firing. The lamp part of the unit shall meet the requirements of the current lamp schedules.

(e) Magneto units shall be operable only by a special key or handle.

(f) A unit that depends on some special modification, such as a shunt resistance, to prevent igniting sparks, shall have its housing sealed or locked to prevent removal or disturbance of this safety feature.

(g) Dry cell units shall be marked or stamped with a date to indicate the limit of the time when the unit shall be put in service. This marking should be on the outside wrapper of package type units and on the individual cell wrappers of refill type units.

§ 24.5 Materials required for Bureau of Mines records. In order that the Bureau may know exactly what it has tested and approved, it keeps detailed records covering each investigation. These records include drawings and actual equipment, as follows:

(a) **Drawings.** The original drawings submitted with the application for approval and any drawings that are needed to show changes in design. These drawings are used to identify the unit in the

¹ Sparking tests of battery-type units will be made with a contactor disk 8 inches in diameter equipped with brush-type contacts, each of approximately 50 No. 34 copper wires. The contactor will be surrounded by an explosive mixture of Pittsburgh natural gas and air. The test shall consist of making and breaking the discharge of each of three units at least 300 times with the contactor operating at 60 revolutions per minute. The resistance of the contactor circuit shall not be greater than 0.25 ohm. Similar tests will be made of magneto- and generator-type units but with the contactor equipped with a $\frac{1}{16}$ -inch bronze brush and brass contact and operating at speeds up to 1,200 revolutions per minute.

approval and to check the future product of the manufacturer.

(b) *Actual equipment.* If the Bureau so desires parts of the units that are used in the tests will be retained as records of the equipment submitted. If the unit is approved, the Bureau will require the manufacturer to submit one of his units, with the approval plate attached, as a record of his future commercial product.

§ 24.6 Approvals. All approvals are granted by letter through the office of the Director of the Bureau of Mines at Washington, D. C. A blasting unit will be approved under this part only when the testing engineers shall have judged that it has met the requirements of the schedule and the Bureau's records are complete, including drawings from the manufacturer that show the unit as it is to be made. No verbal reports of the investigation will be given, and no informal approval will be granted. The manufacturer shall not advertise his blasting unit as permissible or approved until he has received the formal notification of approval from Washington.

§ 24.7 Approval plate—(a) Design. Manufacturers shall attach, stamp, or mold an approval plate on each permissible single-shot blasting unit. The plate shall bear the seal of the Bureau of Mines, United States Department of the Interior, and be inscribed as follows:

Permissible Single-shot Blasting Unit.
Approval No. _____ issued to the _____ Co.

When deemed necessary, an appropriate cautionary statement shall be added. A photograph of the approval plate design will be supplied to the manufacturer with the approval letter. The size and position of the approval plate adopted shall be satisfactory to the Bureau.

(b) *Purpose.* The approval plate is a label that identifies the device so that any one can tell at a glance whether or not it is of the permissible type. By the plate, the manufacturer can point out that his blasting unit complies with the Bureau's requirements, and that it has been approved for use in gassy mines.

(c) *Significance.* Permission to place the approval plate on his unit obligates the manufacturer to maintain the quality of his product and to see that each unit is constructed according to the drawings that have been accepted and placed on file by the Bureau. Blasting units exhibiting changes in design that have not been authorized by the Bureau are not permissible and must not bear the approval plate.

§ 24.8 Withdrawal of approval. The Bureau of Mines reserves the right to rescind for cause, at any time, any approval granted under this part.

§ 24.9 Future changes in design. All approvals are granted with the understanding that the manufacturer will make each blasting unit according to the drawings that were submitted to the Bureau and that have been included in the approval. Changes in the design shall not be made without first obtaining the

Bureau's authorization, procedure for which is as follows:

(a) The manufacturer shall write to the Director of the Bureau of Mines, Washington, D. C., requesting an extension of his original approval, and stating the change or changes desired. A copy of the letter, a revised drawing of the change in detail, and one of each of the parts affected shall be sent by the manufacturer to the Central Experiment Station, 4800 Forbes Street, Pittsburgh, Pa., marked "Attention of the Supervising Engineer, Electrical-Mechanical Section."

(b) The Bureau will consider the application and inspect the drawings and parts to determine whether it will be necessary to make any tests.

(c) If the Bureau finds the change to be acceptable without test, extension of approval authorizing the change will be granted through the Director's office.

(d) If tests are judged necessary, the applicant will be advised of the material that will be required and of the necessary deposit to cover the fee for the tests. When the changed design has been found to comply with the requirements of this schedule, extension of approval authorizing the changes will be granted.

R. R. SAYERS,
Director.

Approved: November 27, 1945.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-22079; Filed, Dec. 10, 1945;
9:49 a. m.]

2. The following commodities are hereby removed from the list of commodities:

Dept. of Com.	Sched. B. No.	Commodity
	006933	Dry & wet ice-cream mix
		Shellfish, canned:
	008801	Lobster
	008803	Crab meat and crabs
	008805	Clams & oysters
	008888	Other
		Vegetables, canned:
	124100	Asparagus
	124200	Baked beans & pork & beans
	124300	Corn
	124400	Peas
	124500	Soups (include vegetable, meat & fish soups)
	124600	Tomatoes
	124700	Tomato paste & puree (include tomato sauce for cooking purposes) (report table sauces in 125100)
	124800	Tomato juice
	124910	Beans, string, or stringless
	124930	Lima beans
	124950	Spinach
	124990	Pumpkin
	124990	Rhubarb
	124990	Other canned vegetables & juices, n. e. s.
	125100	Ketchup, chili sauce & other tomato table sauces (report tomato cooking sauces in 124700)
		Canned fruits (report fruit pulp in 135003):
	134200	Peaches
	134400	Pears
	134600	Fruits for salad (include fruit cocktail)
	137400	Apricot and Peach Pits and Kernels
	163400	Chocolate candy
	163500	Other candy
	163700	Confections and desserts, n. e. s. (include chocolate and vanilla pudding, flavoring sugar, etc.)
		Fruit juices (concentrated included):
	177600	Orange
	177900	Fruit juices, n. e. s. (include grapejuice, cider, citrus fruit juices, n. e. s., and mixed fruit juices) (report tomato juice in 124800) (Pineapple juice, 177200 and grapefruit juice, 177500; remain on the list of commodities)
	201200	Rubber scrap, synthetic and crude, except tires and tire parts, tubes and tube sections (report used casings averaging \$2.00 and over in 206000, 206200 and 206400).

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective immediately upon publication except that with respect to commodities removed from general license it shall become effective on December 17, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938;

De- part- ment of Com- merce Sched- ule B. Nos.	Commodity	Unit	GLV Dol- lar-Value Limits Country Group	
			K	E
651520	Lead anodes.....	Pounds.....	1	1
664598	Thorium ores and concentrates.....	do.....	1	1
664968	Babbitt metal dross and scrap.....	do.....	1	1
664998	Thorium metals and alloys.....	do.....	1	1
832200	Amyl acetate.....	do.....	1	1

E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130).

Dated: December 6, 1945.

WALTER FREEDMAN,

Director,

Requirements and Supply Branch.

[F. R. Doc. 45-22018; Filed, Dec. 7, 1945; 2:40 p. m.]

[Amdt. 120]

PART 801—GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS

Section 801.16 *Refunds of subsidy payments* is hereby amended in the following particulars:

1. Paragraphs (a) and (b) are hereby amended to read as follows:

(a) No person shall export any of the types or varieties of food commodities set forth in paragraph (c) of this section of a value in excess of that permitted under the provisions of general license "GLV" as set forth in § 802.10 of this subchapter, to any destination other than a territory or possession of the United States or to Canada; or any of the types or varieties of food commodities set forth in paragraph (d) of this section of a value of \$15.00 or more to any destination other

than a territory or possession of the United States, unless:

(1) Any subsidy payments made by the Department of Agriculture or other appropriate agency have been refunded in the amount, with respect to variety, grade and size, specified in paragraphs (c) or (d) of this section, and

(2) There is presented to the Collector of Customs at the port of exit a Certificate of Subsidy Clearance issued by the Department of Agriculture or other appropriate agency which shall indicate the fact that the exporter has met the requirement specified in subparagraph (1) of this paragraph (a) in regard to refunds of subsidy payments with respect to the commodities authorized for export, or that such refund is not required for the particular shipment.

(b) Application for a Certificate of Subsidy Clearance relating to the commodities set forth in paragraphs (c) and (d) of this section shall be submitted to the Department of Agriculture or other appropriate agency on such form or forms and in such manner as may be prescribed by the Department of Agriculture.

2. There is hereby added thereto paragraph (d) as follows:

(d) Schedule of refunds to be made by exporters of canned beans, corns, peas, pea soup, tomatoes and tomato products:

	No. 1 picnic 301 x 411	No. 1 tall 303 x 411	No. 303 303 x 406	No. 2 307 x 409	No. 2½ 401 x 411	No. 3 cyl. 404 x 700	No. 10 603 x 700	No. 95 vacuum	No. 2 vacuum
Snap beans									
Sweet corn	0.060		0.07	.08	0.149		0.54	0.11	0.06
Green peas		0.14	.178	.20			.42	.08	
Tomatoes	.120	.15	.15	.18	.24		1.02	.20	
Tomato juice	.030	.05	.05	.08	.09	0.15	.32		
Tomato puree 1.045-1.065p	.053	.081	.082	.101	.145		.533		
Tomato paste 25 percent-33 percent	.105	.161	.163	.198	.287		1.054		
Tomato catsup	.069	.106	.107	.130	.189		.692		
Tomato sauce	.043	.065	.066	.081	.116		.426		
Tomato chili sauce	.080	.122	.123	.151	.218		.799		
Tomato cocktail sauce	.043	.065	.066	.080	.116		.426		
Tomato hot sauce	.051	.078	.079	.096	.139		.511		
Tomato soup	.0365						.1722	.3644	
Green pea soup	.0347						.164	.3471	

This amendment shall become effective immediately except that with respect to the commodities set forth in paragraph (d) it shall become effective on December 22, 1945.

(Secs. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380; 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

WALTER FREEDMAN,

Director,

Requirements and Supply Branch.

Dated: December 5, 1945.

[F. R. Doc. 45-22019; Filed, Dec. 7, 1945; 2:40 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[ISO 118, Amdt. 9]

SMALL VOLUME MANUFACTURERS RECONVERSION PRICING

A statement of the considerations involved in the issuance of this amend-

Mantels, China, or Corner Closets and Breakfast Nooks.
Ornamental Entrance Frames.
Overhead Garage Doors.
Porch Work.
Sectional Kitchen Units.
Stair Parts.

Stock Frames That Cannot Be Priced From Catalog 8-A, "Standard Pine Frames", Published by the Pinney Printing Company, Clinton, Iowa.
Telephone and Medicine Cabinets.

3. In Appendix A, the product list is amended by adding in the proper alphabetical order under the heading "Building Materials Branch" the following:

Veneered doors which have solid cores of any species of lumber except fir, larch, spruce or hemlock and which also have veneer faces of any species listed in section 26 (d) of Revised Maximum Price Regulation 293.

This Amendment No. 9 shall become effective December 12, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22052; Filed, Dec. 7, 1945; 4:35 p. m.]

PART 1305—ADMINISTRATION

[ISO 119, Amdt. 11]

INDIVIDUAL ADJUSTMENT FOR RECONVERTING MANUFACTURERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 118 is amended in the following respects:

1. Appendix B is amended by deleting "Flush doors which have solid cores of any species of lumber except fir, larch, spruce or hemlock and which also have veneer faces of any species listed in section 26 (d) of Revised Maximum Price Regulation 293" from the list of products under the heading "Building Materials Branch."

2. In Appendix B under the heading "Building Materials Branch," the sub-heading "Millwork" and the products listed thereunder is amended to read as follows:

Millwork specialties manufactured from any species when made to be affixed to and become a permanent part of a building, as follows:

Complete Gable Frame and Sash Units
Complete Casement Sash and Window Units

Disappearing Stairways

Ironing Boards

Lock-Joint or Mitered Trim, KD or Set Up

Louvre Frames

Mantels, China, or Corner Closets and Breakfast Nooks

Ornamental Entrance Frames

Overhead Garage Doors

Porch Work

Sectional Kitchen Units

Stair Parts

Stock Frames That Cannot Be Priced From Catalog 8-A, "Standard Pine Frames", Published by the Pinney Printing Company, Clinton, Iowa.
Telephone and Medicine Cabinets.

3. In Appendix A, the product list is amended by adding in the proper alpha-

betical order under the heading "Building Materials Branch" the following:

Veneered doors which have solid cores of any species of lumber except fir, larch, spruce or hemlock and which also have veneer faces of any species listed in section 28 (d) of Revised Maximum Price Regulation 293.

This Amendment No. 11 shall become effective December 12, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22053; Filed, Dec. 7, 1945;
4:35 p. m.]

PART 1305—ADMINISTRATION

[SO 126, Amdt. 12]

EXEMPTION AND SUSPENSION OF CERTAIN
ARTICLES OF CONSUMER GOODS FROM PRICE
CONTROL

A statement of the consideration involved in the issuance of this supplementary order issued simultaneously herewith has been filed with the Division of the Federal Register.

Supplementary Order 126 is amended in the following respects:

1. Section 2 (b) is amended to read as follows:

(b) The following articles of household accessories:

Artificial or preserved grass, plants, stems, buds, vines, fruits, flowers, petals, leaves and foods for decorative household use and store display purposes.

Beverage coasters.

Book ends.

Bookmarks (except paper).

Christmas decorations made of natural vegetable products such items as cones, berries, pods, leaves, etc.

Christmas tree holders.

Christmas tree ornaments except electric light bulbs, cords and sets. Figurines and ornamental statuary designed for ornamental use (not including articles which may be used for any other purpose).

Glass ice balls for "chilling without diluting" food and beverages.

Hall clocks (grandfather type) and cabinets.)

Hand bells.

Hand painted pictures.

Holloware made of precious metals or plated with precious metals.

Incense burners.

Miniature furniture used as containers for flowers, candy, cigarettes, etc. (except packaging supplied by seller of the packaged article).

Miniature size novelties made of glass, china, wood, plastic, plaster, etc., which have no tableware use and are made for collector's purposes only, including miniature size decorative glass bottles other than perfume bottles.

Mirror covered boxes when sold separately and not as part of a unit containing an article not exempt.

Mirror table plateaus.

Music boxes when sold separately and not as part of an article not exempt.

Napkin rings.

Novelty cigarette, cigar, and playing card boxes when sold separately and not as part of a set (except paper or paper board arti-

¹ 10 F.R. 10200, 11348, 11512, 12919, 13110, 13771, 13776.

cles and packaging supplied by a seller of the packaged article).

Novelty and decorated serving trays.

Novelty pouring and measuring caps for liquor bottles.

Novelties made of alabaster, marble, onyx, shell, bark, bone, horn, butterfly wings and gourds for decorative household use or made for collectors' purposes.

Novelty wall plaques, masks, and decorations designed solely for ornamental use, but not including articles which may be used for any purpose whatsoever other than ornamentation.

Paper weights.

Picture frames and framed pictures (except portrait photographs).

Pin cushions.

Party novelties made in part of candy, nuts or cosmetics.

Place card holders and place cards (except paper).

Poker chips and racks.

Portable door stops.

Reading racks (except typewriter copy holders).

Self-feeding baby bottle holders.

Shoe racks.

Tie racks.

Wood carved figures and animals.

Articles of glassware, china or pottery for decorative household use (except lamp bases and articles for the preparation, storage and service of food and beverages).

2. Section 2 (c) is amended to read as follows:

(c) The following articles of housewares:

Anti-splasher faucet attachments.

Barbeques for household use.

Bird houses, feeders and baths.

Bird cages, stands and hooks.

Bowl covers and bags made of fabric or plastic for household use in preserving food and beverages.

Barometers for household use.

Bread and meat boards for household use.

Bottle cappers for household use.

Brushes for applying lipstick or cosmetics.

Brushes, eyebrow.

Carpet and rug beaters.

Cedar chip and sawdust bags for use as moth repellents.

Clothesline props and reels.

Clothespins.

Coffee grinders, hand operated, for household use.

Corn poppers for household use.

Cutlery boxes.

Dehydrators, food, for household use.

Deodorizers for use in household ice boxes and refrigerators only.

Dinner bells and chimes.

Dog and cat beds, cushions, mattresses and diners.

Dog houses, kennels and exercise pens.

Fireplaces (portable).

Fireplace equipment.

Fire escapes (portable), for attachment to residences.

Flag poles and staffs.

Garment bags, except paper bags.

Hat racks.

Housenumber markers and holders.

Hygrometers for household use.

Ice shavers for household use.

Ice cube tongs for household use.

Lamp shade covers.

Mantel pieces, ornamental.

Plastic flower boxes.

Rubber bottle stoppers usually sold as liquor accessories.

Shopping carts.

Spoons, flat wooden, not sold to ultimate consumer.

Tooth picks.

Wood knife holders.

Wood log carriers.

3. Section 2 (d) is amended to read as follows:

(d) The following articles of hardware:

Aluminum horse shoes.

Dock rollers.

Foot scrapers.

Garden carts.

Garden hose reels.

Grass catchers.

Ice creepers.

Lawnmower sharpeners.

Nail strippers.

Safety air vents for wine fermentation.

Sawbucks.

Ship bells.

Sleigh bells.

Traps and snares for animals.

Tree saver bands.

4. Section 2 (e) is amended to read as follows:

(e) The following articles of sporting goods:

Aquatic sporting goods other than apparel and shoes.

Archery equipment other than apparel.

Badminton equipment other than apparel and shoes.

Baseball equipment except balls, mitts, gloves, bats, apparel and shoes.

Basketball equipment except apparel, shoes and basketballs.

Boats, 25 ft. or less in length, except toy boats. (See S. O. 129 covering boats over 25 ft. in length.)

Bowling and billiard equipment and accessories.

Boxing, wrestling and striking bag equipment except apparel and shoes.

New canoes and accessories except sails.

Cartridge case trimmers, reloaders, swedgers and reshapers for use in hand loading ammunition.

Clay pigeons and traps for releasing clay pigeons.

Croquet sets and equipment.

Custom-built (uncatalogued), or rebuilt, enhanced guns.

Decoys, bird and game.

Exercise equipment: Dumbbells, elastic chest pulls, grip developers, Indian clubs, medicine balls, steel spring exercisers, wands and home exercise machines.

Field hockey equipment except apparel and shoes.

Fishing tackle except rods, reels, non-metallic lines.

Football equipment except apparel, shoes, helmets, pads and footballs.

Game calls, bird and game.

Golf equipment except apparel, shoes, clubs and balls.

Gymnasium apparatus.

Ice hockey equipment except apparel, skates, shoes and skate combinations.

Paddle tennis equipment.

Playground apparatus.

Shuffleboard equipment.

Snowshoes.

Soccer equipment except apparel, shoes and balls.

Softball equipment except balls, mitts, gloves, bats, apparel and shoes.

Squash equipment other than apparel and shoes.

Table tennis equipment.

Tennis equipment except rackets, balls, apparel and shoes.

Toboggans, bobsleds and equipment except apparel and shoes.

Volley ball equipment except apparel, shoes and balls.

The following items of track and field equipment: Javelins, discus, athletic shot, toe boards, athletic hammer, vaulting poles, vaulting and jump standards.

5. Section 2 (g) is amended to read as follows:

(g) The following articles of household furniture:

Cobblers' Benches (for use as a living room novelty piece).

Costumers.

Custom-built, non-upholstered, wooden furniture, produced to fill the particular specifications of a single purchaser involving only one transaction, and sold in a quantity not exceeding two units or, in the case of dining room chairs, not exceeding a set of twelve. If stock pattern frames are used, the article is not considered custom-built. Sales of larger quantities than those specified above, or repeat sales of the same article (whether or not minor changes are made), are not exempted and remain subject to the pricing and reporting provisions of § 1499.155 through § 1499.158 of Maximum Price Regulation No. 188.

Folding screens.

Foot stools and hassocks except ottomans for matched sets.

Furniture made entirely of glass.

Hand decorated articles of furniture rebuilt from substantially different articles of used furniture.

Humidor smoking cabinets.

Magazine racks and baskets. (This does not include tables or combination units.)

Plant stands and ferneries.

Porch gates, when sold under the following conditions:

To consumers for \$3 or less.

To dealers for \$1.65 or less.

To jobbers for \$1.40 or less.

Portable bars and back bars for household use.

Sewing cabinets (except cabinets for sewing machines).

Spinning wheels.

Tea wagons.

Umbrella stands.

Wall racks (all hanging, such as shadow boxes, corner shelves, knick-knacks, what-nots, scones, etc.).

Wood radiator enclosures.

6. Section 2 (h) is amended to read as follows:

(h) The following articles of floor coverings:

Custom made rugs, when made on a special order for an ultimate consumer according to special designs required by said ultimate consumer and when only one such rug of a particular pattern is produced in any one size rug.

Rugs, the wearing surface of which is made wholly of animal skins.

7. Section 2 (j) is amended to read as follows:

(j) The following articles of professional goods:

Bronze cinerary urns, sarcophagi.

Casket lowering devices.

Dental instruments, equipment and supplies for use by dentists, including, but not limited to, forceps, pliers, handpieces, sealers, elevators, impression compounds, etc., but not including office furniture and dentifrices.

Exercise machines and devices.

Ice cans when sold to industrial users.

Laboratory apparatus built to specifications of the purchaser when no more than six identical items are manufactured (except scientific instruments covered by Maximum Price Regulation No. 136).

Scientific instruments designed primarily for use in laboratories and hospitals (except those covered by RMPR No. 136).

Stereograph machines.

Scientific optical instruments (except those covered by RMPR No. 136 and binoculars, monoculars, field glasses and photographic equipment).

Suntan face reflectors.

Surgical instruments or machines for use by physicians, surgeons or hospitals, including, but not limited to, forceps, clamps, surgical needles, knives, retractors, dilators, cardiographs, etc. But not including hospital or office furniture, or surgical supplies such as bandages, adhesive tape, etc.

Watch repair hand tools designed specifically for use in repair or assembling of watches or clocks such as case openers, movement holders, hand and pinion removers, jewel tools, balance poising calipers, and tools, etc. General purpose tools such as tweezers, pliers, saws, screw drivers are not exempt.

8. Section 2 (k) is amended to read as follows:

(k) The following articles of equipment and supplies:

Advertising novelties, other than paper (such as: pens, pencils, tooth picks, knives, cigarette lighters, leather backed calendar pads, writing kits, playing cards, thermometers, barometers, hydrometers) which are sold to an advertiser who gives them away for purposes of publicity without cost to the recipient. These articles must be imprinted with the name of the advertiser or the name of the recipient before delivery by the manufacturer.

Automatic rotary cookers.

Cemetery flower vases with invertible insert, and designed to be so placed into the ground that the top of the vase is flush with the ground level.

Coin operated machines including, but not limited to, scales, vending machines, amusement machines, music machines; and cabinets manufactured exclusively for such machines.

Commercial and institutional kitchen appliances and fixtures (except refrigerators, freezers, and cooking utensils).

Custom-built commercial furniture, fixtures and equipment otherwise covered by MPR 188 when made on special order for the user according to special designs required by user, and for use in stores, offices, restaurants, hospitals and institutions.

Deodorizers, portable, mechanical and electrical.

Electrically operated map cases.

Fire extinguishers.

Flight demonstrators and aeronavigational apparatus.

Florists' foliage, decorative and trimming products.

Metal bindings or slides for use on maps, map cases, charts, calendars, tariff sheets, advertising matter, etc.

Mineral, geological, botanical and zoological specimens and microscopic slides for educational purposes.

Miniature and scale model furniture sold for use in sales promotion.

Records or electrical transcriptions of special studio programs or of live commercial radio broadcast programs when sold to advertising agencies, advertisers, radio broadcast stations, commercial radio program producers, or participating artist, for re-

broadcast, advertising, promotion, or reference purposes only, and not for sale to the general public.

Signs, advertising, street, etc.

Three dimensional sculptured or cast anatomical models (human, botanical, zoological) used for educational purposes.

Tax and payroll calculators, non-mechanical, which use charts to indicate or compute taxes and payrolls.

U. S. Post Office mail boxes for sale to U. S. Government.

Wire forms for floral wreaths and wire easels for floral displays.

9. Section 2 (l) is amended to read as follows:

(l) The following miscellaneous articles:

Automobile steering wheel covers.

Braille writers (portable).

Carbide lamps and lanterns.

Chess boxes and checker boards, hand-made and inlaid.

Coir yarn mats.

Crib blanket holders or quilt holders.

Decorative and memorial tablets and plaques.

Ecclesiastical ware otherwise covered by MPR 188.

Fish nets.

Glider slip covers, glider replacement cushion sets, glider raincoats, beach chair replacement covers.

Handcuffs and billys.

Life buoys and preservers not covered by MPR 403.

Life saving equipment except articles covered by MPR 149, 157, 220, or 403.

Portable camp and picnic type ice chests.

Rubber shapes and figures (inflated) used for display or advertising.

Wood, leather, metal, cloth, paper or pottery souvenirs on which have been printed, engraved, stamped, or burned the names or pictures of cities, towns, camps, resorts, or states which are sold only as souvenir items.

10. The section number preceding the title "Apparel and Apparel Accessories" is changed from "Sec. 4" to "Sec. 5".

11. In section 6 substitute the phrase "Sections 7, 8, 9, and 10," for the phrase "Sections 8, 9, and 10."

12. Section 7 is added to read as follows:

SEC. 7 Consumer durables goods articles. (a) The following miscellaneous articles:

Hearing aids and hearing aid accessories except batteries.

This amendment shall become effective on December 12, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20054; Filed, Dec. 7, 1945;
4:35 p. m.]

PART 1305—ADMINISTRATION

[SO 137, Amdt. 2]

ADJUSTMENT OF MANUFACTURERS' PRICES FOR CERTAIN KNITTED GARMENTS

A statement of the considerations involved in the issuance of this amendment

has been issued simultaneously herewith and filed with the Division of the Federal Register.

The first undesignated paragraph of Appendix A is amended to read as follows:

This supplementary order covers knitted garments which belong to any of the categories listed below. For purposes of this order, a knitted garment is a garment of which the body fabric is made of 50 percent or more knit fabric by weight, and the fiber content of such body fabric is 100 percent cotton yarn, 100 percent wool yarn, or a mixture of cotton and wool yarn.

This amendment shall become effective December 7, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22055; Filed, Dec. 7, 1945;
4:35 p. m.]

PART 1420—BREWERY, DISTILLERY AND
WINERY PRODUCTS

[RMPR 259,¹ Amdt. 9]

MALT BEVERAGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 259 is amended in the following respect:

Section 2.10 is revoked and a new section 2.10 is added to read as follows:

SEC. 2.10 Adjustment of brewer's maximum prices.

(a) The Price Administrator may adjust the maximum prices established under this regulation for any brewer who applies for adjustment in accordance with paragraph (c) when it appears that:

(1) Applicant's maximum prices are below the average level of brewer's maximum prices for similar domestic malt beverages in the trading area served by the applicant, and

(2) The brewer would be entitled to an increase in his maximum prices under the standards set forth in paragraph (b) (2) below, and

(3) In the judgment of the Price Administrator, an increase in the brewer's maximum prices would be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, and 9599.

(b) *Amount of adjustment.* (1) The maximum price, as adjusted under this section, may not exceed the average level of brewer's maximum prices for similar domestic malt beverages in the trading area served by the applicant, and

(2) Subject to the limitations of (1) above, the adjusted maximum price shall not exceed the following amount:

(i) Total costs for the items manufactured by applicant plus a margin equal to 3% of the adjusted selling price,

if the applicant's percentage of net operating profits (before income and excess profits taxes) to net sales, during the most recent fiscal year, was lower than 3%.

(ii) Total costs for the items manufactured by applicant, if his percentage of net operating profits (before income and excess profits taxes) to net sales, during the most recent fiscal year, was less than 6% but no lower than 3%; or

(iii) Processing costs for the items manufactured by the applicant, if his percentage of net operating profits (before income and excess profits taxes) to net sales, during the most recent fiscal year, was 6% or higher.

(c) *Form and place of filing application.* Applications for adjustment under this section shall be filed with the Office of Price Administration, Washington, D. C., in duplicate on Office of Price Administration Form Number 6031-2555 and shall contain the information specified in the form. Copies may be obtained from any Field Office of the Office of Price Administration or from the Beverage Section, Food Price Division, Office of Price Administration, Washington, D. C.

(d) Adjustments may be granted or denied under this section in whole or in part by order of the Price Administrator. An order granting or denying an adjustment may be revoked or amended by the Price Administrator at any time.

(e) *Definitions.* (1) "Net sales" means gross sales (including Federal and State excise taxes) less returns and allowances, freight outward and discounts.

(2) "Net operating profit" means the profit before non-operating income and deductions and all taxes on income.

(3) "Processing costs" means the sum of:

(i) Cost of materials used in the manufacturing of domestic malt beverages, but in no event shall the cost be higher than the established maximum prices for such materials.

(ii) Direct labor cost (figured at no more than lawful current rates); and

(iii) Other costs, such as indirect labor (figured at no more than lawful current rates), depreciation, factory rental, insurance, machinery repairs, and other cost factors generally pertaining to processing operations, but not including general and administrative and selling expenses.

(4) "Total costs" means processing costs plus general and administrative and selling expenses.

(5) "Average price" means the unweighted arithmetic average of the prices considered to be applicable.

(f) *Prior adjustments.* All brewers having been granted adjustments subsequent to December 18, 1944, and prior to December 12, 1945, are required to refile within thirty days of December 12, 1945, a new application under revised section 2.10 pending final disposition of their applications by the Price Administrator, brewers subject to the above provision may continue to sell at their adjusted maximum prices.

Note: All reporting and record-keeping requirements of this amendment have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective December 12, 1945.

Issued this 7th day of December 1945.

RICHARD H. FIELD,
Acting Administrator.

Approved: November 29, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-22051; Filed, Dec. 7, 1945;
4:35 p. m.]

PART 1316—COTTON TEXTILES

[RPS 89,¹ Amdt. 16]

BED LINENS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In § 1316.111 (d), subparagraph (5) is amended to read as follows:

(5) Application may be made by any buyer or seller for permission to pay or accept, in addition to the maximum prices appearing in paragraph (c), a premium for bed linens for which, because of special construction or special physical properties involving added costs, a premium has been charged prior to January 1, 1942. No application filed after January 9, 1946, or for a premium for the dying of bed linens will be granted under this subparagraph (5).

This amendment shall become effective December 10, 1945.

Note: All reporting requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22087; Filed, Dec. 10, 1945;
11:33 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. SR 14B, Amdt. 1]

BREAD AND BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Regulation 14B is amended in the following respect:

Section 7 is amended to read as follows:

SEC. 7. Maximum prices for the sale of bread—(a) Maximum prices for the sale of chain store private label bread to ultimate consumers. (1) The maximum price for the sale of any loaf of

¹ 7 F.R. 1375, 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4175, 4732, 7599, 8937, 8948; 8 F.R. 8070, 11245; 9 F.R. 1717.

chain store private label bread to ultimate consumers shall be the highest of the following:

(i) The seller's maximum price for such loaf determined under the General Maximum Price Regulation; or

(ii) The seller's maximum price for such loaf determined under any other provision of this regulation; or

(iii) A maximum price for such loaf which shall not exceed eight (8) cents per pound, net weight, subject to the limitation that such maximum price shall not exceed the maximum price for such loaf determined under (i) or (ii), above, by more than one-sixteenth ($\frac{1}{16}$) of a cent per ounce. In determining a maximum price under this subparagraph on the basis of eight (8) cents per pound, a seller may increase or decrease the weight of such loaf, but, in that event, the maximum price shall be subject to the limitation that it shall not result in an increase in price in excess of one-sixteenth ($\frac{1}{16}$) of a cent per ounce over the maximum price per ounce for the same bread sold by him in the most nearly similar weight size determined under subparagraph (i) or (ii) above.

In computing a maximum price under this subparagraph (iii), fractions of a cent shall be disregarded and the maximum price shall be rounded to the next lower whole number of cents.

Whenever a seller has determined a maximum price for multiple unit sales under subparagraphs (i) or (ii) above which results in a price per loaf lower than the maximum price for the sale of a single loaf, he must, in pricing under this subparagraph, continue the same discount, in cents, on multiple unit sales.

(b) *Maximum purchase price for sellers of chain store private label bread produced by others.* Whenever a seller of chain store private label bread to ultimate consumers increases his maximum price pursuant to paragraph (a) (1) (iii) above the maximum price that such seller may pay his supplier shall be increased by a like amount per pound.

(c) *Maximum prices for the sale of pan bread in certain areas.* Maximum prices for the sale of pan bread in the areas set forth below shall, at the option of the seller, be the maximum prices heretofore established for such bread, or the following maximum prices:

	Net weight per loaf	Sales at wholesale	Sales at retail
	Ounces	Cents	Cents
(1) In the State of Utah.	16 to 18	7 $\frac{1}{2}$	8 $\frac{1}{2}$
	19 to 22	9	11
	24 to 27	10	12
(2) In the Fargo-Moorhead trading area.	16 to 18	7 $\frac{1}{2}$	8 $\frac{1}{2}$
	19 to 22	9	11
	24 to 27	11	13
(3) In the District of Columbia.	15 to 17	7	8
	31 to 33	14	-----

(d) *Definitions.* When used in this section, the following terms shall have the following meanings:

(1) "Pan bread" means any bread baked in a pan, form or screen.

(2) "Chain store private label bread" means bread sold under a distinctive name or label in one or more retail

grocery or general merchandise stores, comprising the whole or part of a chain of four or more such stores, and operating as cooperatives or under a common trade name or common ownership. Each of said four stores must customarily do more than 60 percent of its business in merchandise other than bakery products.

(3) "Fargo-Moorhead trading area" means Fargo, Southwest Fargo and West Fargo in the state of North Dakota, and Dilworth and Moorhead in the state of Minnesota.

This amendment shall become effective December 15, 1945.

Issued this 10th day of December 1945.

CHESTER BOWLES,
Administrator.

Approved: November 30, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-22089; Filed, Dec. 10, 1945;
11:33 a. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS
[MPR 299, Amdt. 5]

SALES BY CANNERS OF TUNA, BONITO AND YELLOWTAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In Maximum Price Regulation No. 299 the text of § 1364.662 (a) preceding the table of prices is amended to read as follows:

(a) The prices set forth below are the maximum prices per case of 48 cans f. o. b. car at the shipping point nearest cannery. To determine the maximum prices per case of 100 No. $\frac{1}{4}$ cans, multiply the appropriate price listed under the heading "No. $\frac{1}{4}$ tuna" by the factor 2.0833. All the maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes.

This amendment shall become effective December 15, 1945.

Issued this 10th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22088; Filed, Dec. 10, 1945;
11:33 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES
[2d Rev. MPR 487, Amdt. 5]

WHEAT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2.6 of Second Revised Maximum Price Regulation 487 is amended by adding the following sentence at the end of the first paragraph: "The minimum tests set forth above in this paragraph shall not apply to Commodity Credit Corporation, which shall be en-

titled to the additional markups provided in this section if it meets the requirements set forth in paragraphs (a) and (b) hereof."

This amendment shall become effective December 15, 1945.

Issued this 10th day of December 1945.

RICHARD H. FIELD,
Acting Administrator.

Approved: November 30, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-22089; Filed, Dec. 10, 1945;
11:33 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 2, Amdt. 10]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Restaurant Maximum Price Regulation No. 2 is amended in the following respects:

1. A new subparagraph (4) is added to section 1 (d) to read as follows:

(4) You may, however, on and after December 15, 1945, as an exception to the above, charge higher than your April 4-10, 1943, prices for fluids served in glasses containing any multiple of the smallest serving of such fluid for which you have legally established and filed ceiling prices on December 15, 1945, provided that such higher price may not exceed the exact multiple of your maximum price for such smallest unit. You may take advantage of this subparagraph (4) only if you continue to offer and make freely available the quantity or quantities for which you had legally established and filed prices on December 15, 1945, and offer them on your menus or price lists as conspicuously as the larger quantity. You must file a report in duplicate of any price figured under this subparagraph (4) with your District Office of the Office of Price Administration within three days after the day the increased quantity of the fluid is first offered.

2. Section 12 (a) (2), is amended to read as follows:

(2) Except as otherwise provided in section 1 (d) (4), you may not sell or offer to sell any meal, food item, or beverage at a price higher than the price you filed for that meal, food item or beverage under General Order 50, or under this regulation.

3. Section 12 (b) (2) is amended to read as follows:

(2) Except as otherwise provided in section 1 (d) (4), you may not increase your price for a meal, food item, or beverage because of an improvement in the quality or increase in the quantity of the food or beverage served or the addition or substitution of side dishes.

This amendment shall become effective December 15, 1945.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 10th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22091; Filed, Dec. 10, 1945;
11:33 a. m.]

Chapter XX—Office of Contract Settlement

[Reg. 21]

PART 8076—PRESERVATION OF RECORDS
RETENTION OF RECORDS BY CONTRACTING AGENCIES

Section 8076.1 through 8076.3 (10 F.R. 8750) are redesignated as §§ 8076.21 through 8076.23.

ROBERT H. HINCKLEY,
Director.

DECEMBER 7, 1945.

[F. R. Doc. 45-22077; Filed, Dec. 10, 1945;
10:41 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 28—REGULATIONS GOVERNING THE HOURS OF LABOR AND WAGES OF EMPLOYEES OF NATIONAL PARK CONCESSIONERS

The regulations in Part 28, Chapter I, Title 36, Code of Federal Regulations, are amended to read as follows:

Sec.
28.1 Definitions.
28.2 Applicability; notice to employees; interpretation.
28.3 Basic hours of labor; exceptions.
28.4 Peak periods.
28.5 Basic schedule of wages; exceptions.
28.6 Child labor.
28.7 Regional Wage Boards.
28.8 Approval by War Labor Board.
28.9 Superseure.

AUTHORITY: §§ 28.1 to 28.9, inclusive, issued under the authority contained in 39 Stat. 535, 16 U.S.C. 3.

§ 28.1 Definitions. As used in this part:

(a) "Secretary" means the Secretary of the Interior or his duly authorized representative.

(b) "Director" means the Director of the National Park Service.

(c) "Superintendent" includes a custodian, caretaker, manager, or other person in charge of a national park.

(d) "National park" includes a national monument or other area under the administrative jurisdiction of the National Park Service of the Department of the Interior.

(e) "Concessioner" includes any individual, partnership, corporation, or other business entity engaged in operating facilities within or without a national park for the accommodation of visitors to the

park under a contract with or permit from the Secretary or the Director.

(f) "Employee" includes any individual employed by a concessioner.

(g) "Executive or department head" includes any employee whose primary duty is the management of the business of the concessioner, or a customarily recognized department thereof, and who customarily and regularly directs the work of other employees, with authority to employ and discharge other employees, or whose suggestions and recommendations as to the employment, discharge, advancement, or promotion of such employees will be given particular weight by the concessioner, and who customarily and regularly exercises discretionary powers.

§ 28.2 Applicability; notice to employees; interpretation. (a) This part shall apply to all concessioners except:

(1) Concessioners providing and operating medical and hospital services; domestic services; agricultural activities, including the care and handling of livestock.

(2) Concessioners operating bathhouses at Hot Springs National Park.

(b) All concessioners subject to this part shall inform their employees as to the provisions thereof in an appropriate manner to be determined by the Director.

(c) Questions pertaining to the interpretation or application of this part which cannot be satisfactorily settled between the concessioner and employee shall be referred to the superintendent for review and, if necessary, submitted to the Director.

§ 28.3 Basic hours of labor; exceptions. (a) The basic hours of labor shall not exceed 48 hours per week or six days per week.

(b) The provisions of paragraph (a) shall not apply to:

(1) Watchmen, guards, detectives, and caretakers.

(2) Employees employed in a bona fide executive or department head capacity.

(3) Solicitors or outside salesmen whose compensation is on a commission basis.

(4) The following employees, when approved by the Director: Employees for whom relief is clearly impracticable because of peculiar conditions arising from the fact that operations are carried on in areas having no resident population or are located at long distances from a supply of available labor; employees whose employment requires special or technical training or skill, where no person capable of providing relief is available within a reasonable distance; employees in small units accessible only by trail or remote from centers of activity, or operating on a small volume of business primarily for the convenience of the public.

(5) Employees with respect to whom the Interstate Commerce Commission has power to establish maximum hours of service pursuant to section 204 of the Motor Carrier Act, 1935.

(6) Employees whose maximum hours of service are prescribed by section 7 of the Fair Labor Standards Act of 1938.

§ 28.4 Peak periods. Except when such action may be contrary to the laws or regulations of the State in which the national park is situated, the basic hours of labor prescribed in § 28.3 may be exceeded only at peak periods or under extraordinary circumstances.

§ 28.5 Basic schedule of wages; exceptions. (a) The minimum weekly rate of wages to be paid for a work week prescribed in § 28.3, upon whatever basis such wages are calculated, shall be \$19.20 per week, except that employees who receive substantial gratuities from the public may be paid a minimum weekly wage of \$15.60, until such time as applicable regional wage rates are approved by the Secretary.

(b) Any employee employed in excess of 48 hours within any work week as provided in § 28.4 shall, at the option of the employee, be paid for such overtime at a rate of one and one-quarter times the employee's regular rate of wages, or, in lieu of such overtime wages, be allowed sufficient time off, with full pay, to make the employee's average work week conform to the basic weekly hours of labor.

(c) Part time employees shall be paid at a rate not less than proportionate to the appropriate minimum wages prescribed in paragraph (a) of this section.

(d) When meals or lodgings are furnished to an employee as a part of the wages, the value of same for the purpose of computing the wages paid shall not be considered as more than 35 cents per meal or 35 cents per day's lodging.

(e) The provisions of paragraph (b) of this section shall not apply to any employee of the classes specified in § 28.3 (b) in this part.

(f) The provisions of this section shall not apply to employees whose minimum wages are prescribed by section 6 of the Fair Labor Standards Act.

§ 28.6 Child labor. No person under 16 years of age may be employed: Provided, That during the period of the present war minors between 14 and 16 years of age may be employed under the following conditions:

(a) When qualified older workers are not available.

(b) After the concessioner has procured proof of age, which shall be retained permanently by the concessioner.

(c) In work suited to their age and strength, avoiding all occupations that are hazardous or detrimental to health or welfare.

(d) When provision is made for adequate meal and rest periods of time.

(e) Between the hours of 7:00 a. m. and 9:00 p. m. and not in excess of 3 hours per day or 18 hours per week when school is in session, and then only outside school hours, or 8 hours per day or 40 hours per week when school is not in session.

(f) At wages not less than those paid adult workers for similar job performance.

§ 28.7 Regional wage boards. (a) The Secretary will establish regional wage boards for the respective National Park Service regions. Each such regional wage board will be composed of

the appropriate regional director of the National Park Service and at least one representative of the concessioners to be recommended by the regional director after consultation with the concessioners within the region.

(b) The regional wage boards thus established shall from time to time investigate employment conditions within the regions, including the wages paid in the area for work of a like or comparable character to the work performed by employees of the concessioners, and submit to the Director recommendations for the classification of employees of the concessioners, the minimum wages to be paid for each classification, the compensation to be paid for overtime, and the value of any compensation in kind, such as meals and lodging.

(c) The Director shall submit to the Secretary the recommendations of the regional wage boards together with his recommendations with respect to classifications, wage rates, overtime, and compensation in kind for the regions.

(d) The concessioners shall comply with applicable wage rates for the regions adopted by the Secretary notwithstanding any other provisions of this part.

§ 28.8 Approval by War Labor Board. Where compliance with this part by the concessioners requires that approval be secured from the War Labor Board, or any other Federal agency, the regulations shall not become effective as to any matter requiring such approval until the approval has been granted.

§ 28.9 Supersedure. This part supersedes the regulations of hours of labor and wages for national park operators promulgated by the Assistant Secretary of the Interior on November 23, 1943.

Issued this 30th day of November 1945.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.
[F. R. Doc. 45-22067; Filed, Dec. 10, 1945;
9:50 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 25—MEDICAL

ORTHOPEDIC AND PROSTHETIC APPLIANCES

§ 25.6115 Conditions governing the furnishing. No change in (a), (b), or (c), inclusive.

No change in (d) (1) or (2).

(3) Domiciled members, when medically held needed for (i) a service-connected condition; (ii) a disease or injury not service connected, but held to be aggravating disability from a service-connected condition, adjunct treatment; (iii) appliances, not considered for furnishing under (i) or (ii) may nevertheless be procured or repaired for domiciled members, when medically determined necessary as an incident of domiciliary care.

(4) Persons pursuing a course of training under Public No. 16, 78th Con-

gress, when medically determined as essential to prevent interruption of such training.

§ 25.6116 Retired personnel. (a) (1) Pursuant to the provisions of Public No. 308, 78th Congress, approved May 23, 1944, an artificial limb or other appliance will be supplied or repaired, when medically determined necessary, for any officer or enlisted man retired from the Army, Navy, Marine Corps, or Coast Guard who had lost a limb or the use thereof through injury or disease incurred or contracted in line of duty in the military or naval service at any time.

(2) No commutation in lieu of such artificial limb or other appliance will be payable on or after May 23, 1944.

(3) "Other appliances" will be taken to mean braces, etc., for support of a part in which function has been lost or much impaired.

(4) Such artificial limbs or other appliances or repairs thereto will be supplied at field stations in accordance with the general procedure pertaining to the furnishing of orthopedic and prosthetic appliances.

(b) Persons defined in (a) (1) who are furnished an artificial limb or other appliance will be additionally entitled to fitting and training in the use thereof. (Section 104, Title I, Public No. 346, 78th Congress)

(58 Stat. 284; 38 U.S.C. 693)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of
Veterans' Affairs.

DECEMBER 10, 1945.

[F. R. Doc. 45-22059; Filed, Dec. 10, 1945;
9:41 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 22—TREATMENT OF MAIL MATTER RECEIVED FROM FOREIGN COUNTRIES INVOLVING THE CUSTOMS REVENUE

JOINT REGULATIONS ADOPTED BY SECRETARY OF THE TREASURY AND POSTMASTER GENERAL

Sections 22.12, 22.14, 22.20, and 22.21 of Title 39, Code of Federal Regulations, are amended as follows:

1. In § 22.12 *Treatment of shipments not exceeding \$100 in value* make the following changes:

Amend reference "§ 22.21 (a)–(c)" in paragraph (a) to read "§ 22.21 (a)–(e)."

Amend paragraph (b) to read as follows:

(b) Immediately after customs treatment, all sealed articles (other than parcel post) except those which are opened in the presence of the addressee and delivered at the time of such opening, shall be securely repacked and resealed by a postal employee, in the presence of the customs employee who participated in the opening, so that the article will be in the same condition as when opened or in a better condition. Where practica-

ble, each article shall be reenclosed in a special Post Office Department penalty envelope, readressed and resealed by the postal employee. Articles too large to be enclosed in the special penalty envelope, as well as articles of nominal value, shall be resealed by the use of adhesive tape, mucilage, or wax, and the official adhesive seal of the Post Office Department. The postal employee shall sign or initial the envelope or wrapper covering each article repacked and resealed by him; and in case the article is found to be in bad order shall, after bringing the matter to the attention of the customs employee, note on the cover of the article over his signature, a report of the irregularity.

Amend paragraph (c) to read as follows:

(c) When a sealed article (other than parcel post) believed to contain merchandise is not indorsed (or labeled) as required by § 22.8 (a), the postmaster at the exchange office of first receipt or at the distributing office to which the shipment has been redispached in accordance with the special distribution scheme shall request the addressee to furnish written authority for a customs officer to open the article in the presence of a representative of the postmaster. Any such sealed article which is believed to contain merchandise and is not indorsed or labeled as required shall be detained by the postmaster until opened. However, if an addressee does not furnish such written authority within 30 days after the date of notice by the postmaster or within such further time as may be allowed, as set forth in § 22.20 (a), the article should be treated as undeliverable mail matter and disposed of as such. If the article upon being opened is found to contain merchandise free of internal-revenue tax and free of duty either because unconditionally free or because the aggregate value of the shipment is not more than \$1 and the expense and inconvenience of collecting the duty accruing thereon would be disproportionate to the amount of such duty, the merchandise may be delivered to the addressee without the collection of any fine on account of the article not having been indorsed (or labeled) in accordance with § 22.8 (a). Except as provided above, if the article is found to contain merchandise subject to duty (including conditionally free merchandise) or subject to internal-revenue tax, the merchandise is subject to seizure and forfeiture as having been imported contrary to law. Under the authority contained in section 618 of the Tariff Act of 1930, any forfeiture so incurred is hereby mitigated to an amount equal to 10 percent of the loss of revenue which was or might have been sustained, provided there is no evidence indicating to the collector that failure to label or indorse the article was due to willful negligence or to an intent to defraud the revenue. If there is any such evidence, or if for any other reason the collector believes that it would not be in the interest of the United States to grant this relief, the matter shall be reported to the Bureau of Customs for instructions. When the shipment does not exceed \$100

in value, customs Form 3421 shall be used for the entry of the merchandise and the duty, any internal-revenue tax, and the amount of the mitigated forfeiture shall be entered as separate items thereon. If an article for which a mail fine entry has been issued in accordance with the foregoing provision is undeliverable, it shall be returned to the collector of customs at the port where the mail entry was issued, for disposition in accordance with § 22.21 (a)-(e) relating to articles subject to seizure. The addressee or the sender may file a petition with the collector of customs at the port where the mail fine entry was issued for relief from the forfeiture incurred and for the release of the seized merchandise to the addressee or the sender. (As to unindorsed sealed articles subjected to formal entry, see § 22.13 (d).)

2. In § 22.14 *Forwarding after customs treatment*, amend reference "§ 22.21 (a)-(c)" to read "§ 22.21 (a)-(e)."

3. In § 22.20 *Failure of addressee to respond to notice*, amend reference "§ 22.21 (a)-(c)" in paragraphs (a) and (b) to read "§ 22.21 (a)-(e)", and delete second sentence in paragraph (b).

4. In § 22.21 *Article liable to seizure*, make the following:

Amend paragraph (a) to read as follows:

(a) Articles arriving at a post office where no customs officer is located, and with respect to which the postmaster may have information as to their seizable character, shall be detained by the postmaster and, except when known or supposed to contain lottery matter, or found to contain contraceptive literature, shall be forwarded to the nearest customs officer for appropriate treatment under the customs laws and regulations. However, before any such article (other than parcel post) which is sealed but not indorsed (or labeled) as required by § 22.8 (a) is forwarded to the nearest customs officer, the postmaster shall detain the article and request the addressee to furnish written authority for a customs officer to open the article in the presence of a representative of the postmaster where the article is to be sent. If the addressee does not comply with such request within a period of thirty days, the article shall then be forwarded to the nearest customs officer.

Amend paragraph (b) to read as follows:

(b) Except when known or supposed to contain lottery matter, or found to contain contraceptive literature, articles brought into the United States contrary to law and placed in the mails shall, upon the production to the postmaster or postal employee of satisfactory evidence to that effect, be marked "imported contrary to law: Seizable." Unsealed articles in the regular mails which are not registered, and parcel post, when so marked, shall be delivered immediately to the nearest customs office to be treated as required by the customs laws and regulations. In the

case of sealed articles and all registered articles (except parcel post) so marked but not indorsed (or labeled) as required by § 22.8 (a), before any such article is delivered to the nearest customs office, the postmaster shall detain the article and notify the addressee to furnish written authority for a customs officer to open the article in the presence of a representative of the postmaster where it is to be sent. If the addressee does not comply with such request within a period of thirty days, the article shall then be forwarded to the nearest customs office.

Amend paragraph (c) by inserting in the first sentence within the parentheses the words "or contraceptive literature", and delete the last sentence.

Add a new paragraph (e) reading as follows:

(e) Mail articles which, upon inspection or examination, are found to contain contraceptive literature shall be retained by the Postal Service or delivered to that service by the Customs Service, and submitted to the Solicitor of the Post Office Department for instructions as to disposition to be made thereof.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.
J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 45-22076; Filed, Dec. 10, 1945;
9:50 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter D—Tank Vessels

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by R. S. 4405 and 4417a, as amended (46 U.S.C. 375, 391a), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), I find that an emergency exists and the following amendments to the "Tank Vessel Regulations" are necessary and shall be made effective upon the date of publication in the FEDERAL REGISTER:

PART 31—INSPECTION AND CERTIFICATION

MANNING OF TANK VESSELS

Section 31.4-2 is amended to read as follows:

§ 31.4-2 *Tank barges—B/LBR.* Tank barges operating on inland waters or on the Great Lakes or rivers need not be manned unless in the judgment of the Officer in Charge, Marine Inspection, such manning is necessary for the protection of life and property and for the safe operation of the vessel: *Provided, however*, That towing vessels, while towing barges which are not required to be manned, shall carry in the regular complement of the towing vessel and shall have on board at all times while towing at least one licensed officer or certified tankerman.

PART 32—REQUIREMENTS FOR HULLS, MACHINERY, AND EQUIPMENT

§ 32.1-3 *Name of vessel.* * * *

HULLS AND HULL FITTINGS; GENERAL

Section 32.1-3 (c) is amended to read as follows:

(c) *B/ALL.* Every undocumented tank barge shall have its name or number carved, punch-marked, or welded on the main beam, inside the cargo hatch, or other suitable permanent part of the vessel's structure for the purpose of identification. The vessel's name or number shall be so displayed at the highest part of the vessel's hull or permanent structure that the name or number can be seen from either side.

PART 35—OPERATION

GENERAL

Section 35.1-4 (b) is amended to read as follows:

§ 35.1-4 *Watchman.* * * *

(b) *Unmanned barge—B/LBR.* On each normally unmanned barge in tow a strict watch shall be kept at all times from the towing vessel while the vessel is under way, and the same shall apply at all times while the barge is moored at a dock unless the barge is gas free or watchman service is provided or unless reasonable precaution is taken to prevent unauthorized persons from boarding the barge. These watchmen may be members of the regular complement of the towing vessel.

Dated: December 7, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-22069; Filed, Dec. 10, 1945;
9:57 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 153-A]

PART 95—CAR SERVICE

PEDDLING GRAPES FROM CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of December, A. D. 1945.

Upon further consideration of the provisions of Revised Service Order No. 153 (9 F.R. 12224), and good cause appearing therefore: *It is ordered*, That:

Revised Service Order No. 153, *Peddling grapes from cars*, be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 A. M., December 15, 1945; that a copy of this order and direction shall be served upon the State railroad regulatory bodies of every State; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem

agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-22015; Filed, Dec. 7, 1945;
12:07 p. m.]

[S. O. 249-A]

PART 95—CAR SERVICE

MOVEMENT OF COTTON UNDER PERMITS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of December, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 249 (9 F.R. 13167), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 249, *Movement of cotton under permits*, be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., December 15, 1945; that a copy of this order and direction shall be served upon the State railroad regulatory bodies of Arkansas, Louisiana, Mississippi, Missouri, Tennessee and Texas, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-22016; Filed, Dec. 7, 1945;
12:07 p. m.]

Chapter II—Office of Defense Transportation

[Special Direction ODT 18A-2A, Amdt. 5]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, as amended, item number 475 (b) of Special Direction ODT 18A-2A, as amended, (9 F.R. 118, 4247, 13008; 10 F.R. 2523, 3407), is hereby further amended to read as follows:

475. (b) In bags, burlap or cloth; in boxes; or in sacks, paper; containing 100 pounds or more each; shall be loaded to a weight not less than 50,000 pounds, subject to Note 1, Item 485.

* * * * *

This Amendment 5 to Special Direction ODT 18A-2A shall become effective December 15, 1945, and shall expire February 15, 1946, at which time the loading requirements contained in Item 475 (b), Special Direction ODT 18A-2A, Amendment 4, shall apply.

(E. O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 18A, as amended, 8 F.R. 14477, 9 F.R. 116, 9 F.R. 7528)

Issued at Washington, D. C., this 7th day of December 1945.

E. E. McCARTY,
Director, Railway Transport Department, Office of Defense Transportation.

[F. R. Doc. 45-22080; Filed, Dec. 10, 1945;
10:55 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G-683]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF APPLICATION

DECEMBER 6, 1945.

Notice is hereby given that on November 28, 1945, Kansas-Nebraska Natural Gas Company, Inc. (Applicant), a corporation organized under the laws of the State of Kansas with its principal place of business in Phillipsburg, Phillips County, Kansas, filed an application for certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to transport and sell natural gas in interstate commerce, subject to the jurisdiction of the Commission, and to acquire, construct, and operate facilities therefor.

The facilities proposed to be constructed and operated are described as follows:

(1) Approximately 77 miles of a connecting steel pipe line to extend from a junction near Phillipsburg, Kansas, with Applicant's present 12½-inch O. D. pipe line in Township 3 South, Range 18 West, in Phillips County, Kansas, northeastwardly through Phillips County, Kansas, and Franklin County, Nebraska, and across the northwest corner of Webster County, Nebraska, into Adams County, Nebraska, to a junction near Hastings, Nebraska with Applicant's present 10½-inch O. D. pipe line in Township 8 North, Range 10 West, in Adams County, Nebraska. The line is to consist of approximately 56 miles of 16-inch O. D. pipe and 21 miles of 12½-inch O. D. pipe.

(2) Approximately 56 miles of a replacement steel pipe line to extend from the junction of Applicant's present 10½-inch O. D. pipe line, and its 16-inch O. D. pipe line in Township 9 North, Range 7 West, in Hamilton County, Nebraska, southeastwardly through Clay and Nuckolls Counties, Nebraska, into Thayer County, Nebraska, and terminating at a point near Chester, in Township 1 North, Range 3 West, in Thayer

County, Nebraska. This 56 miles of pipe line will consist of approximately 10 miles of 8½-inch O. D. pipe, 4 miles of 6½-inch O. D. pipe, 33 miles of 4½-inch O. D. pipe, and 9 miles of 2½-inch O. D. pipe, and will replace and will be laid upon substantially the same route as Applicant's present 16-inch O. D. pipe line, approximately 58½ miles of which Applicant proposes to take up and 56 miles of which it intends to re-lay as part of its proposed 77 mile pipe line described in Paragraph 1, above.

(3) One 1,000 horse power compressor unit and auxiliary equipment to be installed at Applicant's compressor station near Scott City, Kansas.

(4) A new compressor station to be constructed near Applicant's 12½-inch O. D. pipe line, at a point approximately one mile southwest of Palco in Rooks County, Kansas, in which station are to be installed two 1,000 horse power compressor units and one 500 horse power unit, and auxiliary equipment.

(5) Applicant's compressor station near Traer, in Decatur County, Kansas, containing a 500 horsepower compressor unit and auxiliary equipment, to be removed to and reinstalled at a point on Applicant's 8½-inch O. D. pipe line east of Colby, in Thomas County, Kansas, and an additional 500 horsepower compressor unit and auxiliary equipment to be installed therein.

(6) The following branch or lateral pipe lines to extend from the nearest practicable points on Applicant's pipe line system to points in or near, and to serve natural gas to the following sixteen communities in Nebraska, all of which are situated within or immediately adjacent to the territory served by Applicant: (a) Marion, Danbury and Lebanon in Red Willow County, Nebraska. Approximately 13 miles of 2½-inch O. D. steel pipe; (b) Juniata in Adams County, Nebraska. Approximately 1½ miles of 2½-inch O. D. steel pipe; (c) Fairfield in Clay County, Nebraska. Approximately 8 miles of 2½-inch O. D. steel pipe; (d) Bruning, Carleton and Belvidere in Thayer County, Nebraska. Approximately 17 miles of 2½-inch O. D. steel pipe; (e) Ong, in Clay County, Nebraska, and Shickley, Strang and Ohiowa in Fillmore County, Nebraska. Approximately 24 miles of 2½-inch O. D. steel pipe; (f) Saronville in Clay County, Nebraska. Approximately 3 miles of 2½-inch O. D. steel pipe; (g) Doniphan in Hall County, Nebraska. Approximately 8 miles of 2½-inch O. D. steel pipe; (h) Central City and Chapman in Merrick County, Nebraska. Approximately 25 miles of 8½-inch and 4½-inch O. D. steel pipe.

The facilities to be acquired and operated from the Central Electric & Gas Company are described as follows:

(1) Approximately 20 miles of 6½-inch O. D. steel pipe line, extending from a point near Aurora, in Hamilton County, Nebraska, to York in York County, Nebraska, with approximately 2 miles of 2½-inch O. D. branch or lateral lines extending to Hampton and Bradshaw, Nebraska.

(2) Approximately 8 miles of 4½-inch and 3½-inch O. D. steel pipe line, extend-

ing from a point near Fairmont to Exeter, all in Fillmore County, Nebraska.

(3) Approximately 6 miles of 4½-inch O. D. steel pipe line extending from a point near Fairmont to Geneva, all in Fillmore County, Nebraska.

(4) Town border meter and regulating stations.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 22nd day of December, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-22068; Filed, Dec. 10, 1945;
9:50 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5404]

CUSTOM HOUSE PACKING CORP. ET AL.

NOTICE OF HEARING

In the matter of Custom House Packing Corporation, a corporation, and Julian G. Burnette, as President, and Frank J. Leard, as Vice President of Custom House Packing Corporation, and Wilbur-Ellis Company, a corporation, and Brayton Wilbur, as President, and Thomas G. Franck, as Vice President and Treasurer of Wilbur-Ellis Company.

Complaint. The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, have violated and are violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent Custom House Packing Corporation is a corporation, organized and existing under the laws of the State of California, with its principal office and place of business located at 608 Ocean View Avenue, Monterey, California, and is engaged in the business of packing, selling and distributing seafood products, principally sardines, hereinafter designated food products.

PAR. TWO: Respondent Julian G. Burnette is an individual residing in Los Altos, California. He is now President of Custom House Packing Corporation and has been a substantial stockholder, and an officer of said corporation, since some time after June 19, 1936. After becoming an officer, and at the present time and for some time past as President, respondent Burnette has exercised, and still exercises, a substantial degree of authority and control over the business conducted by said corporation, including the direction of its distribution and sales policies.

PAR. THREE: Respondent Frank J. Leard is an individual residing in Monterey, California. He is now Vice President of Custom House Packing Corporation and has been a substantial stockholder, and an officer of said corporation, since some time after June 19, 1936. After becoming an officer, and at the present time and for some time past as Vice President, respondent Leard has exercised, and still exercises, a substantial degree of authority and control over the business conducted by said corporation, including the direction of the distribution and sales policies.

PAR. FOUR: Respondent Wilbur-Ellis Company is a corporation, organized and existing under the laws of the State of California, with its principal office and place of business located of 430 California Street, San Francisco, California. Respondent has branch offices and places of business located in New York, New York, Chicago, Illinois, Los Angeles, California, and Seattle, Washington. Said respondent is engaged in the business of distributing food products canned or packed by a number of sellers, including Custom House Packing Corporation.

The stockholders of said respondent and the members of their respective families now own, and since June 19, 1936, have owned a controlling stock interest in respondent Custom House Packing Corporation.

Said respondent organized Connell Bros. Company, Ltd., some time prior to June 19, 1936, as a wholly-owned subsidiary to engage and which did thereafter engage in the business of distributing food products until it was legally dissolved on or about December 1941. The offices and places of business of said subsidiary were the same as those of said respondent. Shortly after such dissolution said respondent registered the words "Connell Bros. Company, Ltd." as a trade name and conducted some of its business under said trade name.

The business done by Wilbur-Ellis Company under its own name, as well as that done by and through its said subsidiary or under said trade name, is hereinafter referred to as having been done by respondent Wilbur-Ellis Company.

PAR. FIVE: Respondent Brayton Wilbur is an individual residing in San Francisco, California. He is now President of Wilbur-Ellis Company and has been a substantial stockholder, and an officer of that company, since some time after June 19, 1936. After becoming an officer, and at the present time and for some time past as President, respondent Wilbur has exercised, and still exercises, a substantial degree of authority and control over the business conducted by said company, including the direction of its distribution and sales policies.

Respondent Wilbur, together with several members of his family and other relatives, now owns, and for a considerable period of time since June 19, 1936, has owned, a substantial stock interest in Custom House Packing Corporation.

PAR. SIX: Respondent Thomas G. Franck is an individual residing in San Francisco, California. He is Vice President and Treasurer of Wilbur-Ellis

Company, and has been a substantial stockholder, and officer of that company, since some time after June 19, 1936. After becoming an officer, and at the present time and for some time past as Vice President and Treasurer, respondent Franck has exercised, and still exercises, a substantial degree of authority and control over the business conducted by said company, including the direction of its distribution and sales policies.

Respondent Franck, together with several members of his family and other relatives, now owns, and for a considerable period of time since June 19, 1936, has owned, a substantial stock interest in Custom House Packing Corporation.

PAR. SEVEN: Respondent Custom House Packing Corporation, since June 19, 1936, has sold its food products to buyers exclusively by and through respondent Wilbur-Ellis Company as broker or agent.

Respondent Wilbur-Ellis Company, as exclusive broker and agent for respondent Custom House Packing Corporation, and as broker, or agent for other packers of food products, sells its principals' food products to buyers by two separate and distinct methods: (1) by selling some such food products to buyers through other brokers or agents, hereinafter designated sub-brokers, which method of doing business is not challenged herein; and (2) by selling some such food products directly to other buyers, without the intervention of sub-brokers, which method of doing business is challenged herein.

Such buyers who purchase direct from respondents are generally known to the trade as "buying brokers". These buyers designate themselves as brokers, but in such transactions do not function as brokers or sub-brokers but purchase for resale on their own account.

A representative but by no means complete list of respondents' "buying brokers" or direct buyers are:

Southgate Brokerage Co., Inc., Norfolk, Va.
Christian Brokerage Co., Inc., Atlanta, Ga.
Koehler-Spalding Co., Inc., Louisville, Ky.
James & Harwell, Houston, Tex.
Fridge & Nichols, Jackson, Miss.
J. A. Campbell Co., Savannah, Ga.

Such buyers transmit their own purchase orders for food products directly to the respondents. The respondents thereafter invoice and ship such food products directly to such buyers from whom the respondents collect the purchase price of the merchandise.

Respondent Custom House Packing Corporation and such other packers of food products grant and allow to respondent Wilbur-Ellis Company commissions or brokerage fees which respondent Wilbur-Ellis Company receives and accepts. Part of such commission or brokerage fees paid to respondent Wilbur-Ellis Company is retained by it as compensation for the brokerage services it performs and the remainder of which in those cases where sub-brokers are used is transmitted by respondent Wilbur-Ellis Company to such sub-brokers, and is received and retained by them as compensation for the brokerage services rendered in assisting respond-

ent Wilbur-Ellis Company; and, in those cases where respondent sells directly to buyers without the intervention of sub-brokers, the remainder of such commissions or brokerage fees is transmitted by respondent Wilbur-Ellis Company to such buyers who purchase such food products for resale on their own account.

The respondents pay such buyers who purchase food products direct from them commissions or brokerage fees on such purchases in an amount which is equal or approximately equal to the commissions or brokerage fees paid by the respondents to their sub-brokers by (a) deducting or allowing such amount from the invoice price of the food products purchased; (b) selling to such buyers at a net price which reflects such amount; and (c) remitting such amount by check after such buyers have accepted and honored respondent's draft for the purchase price.

PAR. EIGHT: The respondent Custom House Packing Corporation, and various other sellers, since June 19, 1936, through their duly appointed and legally constituted agent Wilbur-Ellis Company, in the course and conduct of their respective businesses, have directly or indirectly sold and distributed a substantial portion of their food products to buyers, located in states other than the states in which respondents are located and, as a result of said sales and the respondents' instructions, such food products are shipped and transported across state lines to such buyers so located.

PAR. NINE: The paying and granting of brokerage fees, directly or indirectly, by respondent Custom House Packing Corporation, acting by and through its President, respondent Julian G. Burnette, its Vice President, respondent Frank J. Leard, to its agent and broker, respondent Wilbur-Ellis Company, for transmittal by the latter to buyers, and the direct or indirect receipt and transmittal of such brokerage fees to such buyers by respondent Wilbur-Ellis Company, acting as said agent and broker by and through its President, respondent Brayton Wilbur, and its Vice President and Treasurer, respondent Thomas G. Franck, in the manner and under the circumstances hereinabove set forth, are in violation of subsection 2 (c) of the Clayton Act, as amended by the Robinson-Patman Act.

Wherefore, the premises considered; the Federal Trade Commission on this 27th day of November, A. D., 1945, issues its complaint against said respondents.

Notice. Notice is hereby given you, Custom House Packing Corporation, a corporation, and Julian G. Burnette, as President, and Frank J. Leard, as Vice President of Custom House Packing Corporation, and Wilbur-Ellis Company, a corporation, and Brayton Wilbur, as President, and Thomas G. Franck, as Vice President and Treasurer of Wilbur-Ellis Company, respondents herein, that the 4th day of January, A. D., 1946, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the

right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commissioner an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 27th day of November A. D., 1945.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-22086; Filed, Dec. 10, 1945;
11:30 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 393]

UNLOADING OF BEER AT VICKSBURG, MISS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of December, A. D. 1945.

It appearing, that cars OSL 137450 and CP 237063 containing beer at Vicksburg, Mississippi, on The Yazoo and

Mississippi Valley Railroad Company, shipped by Fredericks Brewing Company, Thornton, Illinois, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

Beer at Vicksburg, Mississippi, be unloaded. (a) The Yazoo and Mississippi Valley Railroad Company, its agents or employees, shall unload forthwith cars OSL 137450 and CP 237063, containing beer on hand at Vicksburg, Mississippi, consigned shippers order, notify Johns Distributing Company, Vicksburg, Mississippi.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon The Yazoo and Mississippi Valley Railroad Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-22017; Filed, Dec. 7, 1945;
12:07 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 500A-172]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

- Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof [the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Col-

umn 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights] are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or reversion, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held,

used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on August 21, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1	Column 2	Column 3	Column 4	Column 5
Copyright numbers	Titles of works	Names and last known nationalities of authors	Names and last known addresses of owners of copyrights	Identified persons whose interests are being vested
A for. 19830.....	Dänemark, Schweden, Norwegen; landschaft, baukunst, volksleben; mit geleitworten von Karin Michaelis, Selma Lagerlöf und Sigrid Undset, 1931.	Kurt Hielscher of Germany (nationality, German).	F. A. Brockhaus, Querstr. 16, Leipzig, Germany (nationality, German).	Owner and author.
A for. 10829.....	Deutschland, landschaft und baukunst; mit einem geleitwort von Gerhart Hauptmann und dem letzten handschriftlichen brief von Hans Thoma, 1931.	Kurt Hielscher of Germany (nationality, German).	F. A. Brockhaus, Querstr. 16, Leipzig, Germany (nationality, German).	Author and owner.
A for. 35500.....	Frankreich, baukunst, landschaft und volksleben; mit einer einleitung von Paul Valery, 1927.	Martin Hürlmann of Switzerland (nationality, Swiss).	Ernst Wasmuth a. g., Markgrafenstrasse 31, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Österreich, landschaft und baukunst; einleitung von Dr. Rudolf Guly, 1928.	Kurt Hielscher (nationality not established).	Atlantis-Verlag, G. m. b. H., Berlin, Germany (nationality, German).	Owner.
Unknown.....	Die Unschuld des Werdens. Der nachlass ausgewählt und geordnet von Alfred Baeumler, Erster (Zweiter Band), 1931.	Friedrich Nietzsche (nationality not established).	Alfred Kröner, Leipzig, Germany (nationality, German).	Owner.
A. for. 39649.....	Warenwörterbuch für alle Industrie-Handels und Erwerbszweige in 4 Sprachen, deutsch, englisch, französisch, russisch, 1928.	Ernst Pföhl of Germany (nationality, German).	Bibliographisches Institut, Leipzig, Germany (nationality, German).	Owner and author.
A. for. 30595.....	Physik im Alltag, 1925.	Ins. Fritz Grunewald of Germany (nationality, German).	Verlag Ullstein, Kochstrasse 26 A. G., Berlin, Germany (nationality, German).	Owner and author.
A. for. 32231.....	Die Mechanik in Grundzügen, 1926.	Dipl. Ing. Arnold Meyer of Germany (nationality, German).	Verlag Ullstein A. G., Kochstrasse 26, Berlin, Germany (nationality, German).	Owner and author.
A. for. 13613.....	Volks-Brockhaus. Deutsches Sachund Sprachwörterbuch für Schule und Haus, 1931.	Johannes Lindhorst of Germany (nationality, German).	F. R. Brockhaus, Osterstrasse 16, Leipzig, Germany (nationality, German).	Owner and author.
A. for. 15185.....	Langenscheidts Universalwörterbuch, Russisch, 1931.	Unknown.....	Langenscheidtsche Verlagsbuchhandlung, Berlin-Schöneberg (nationality German).	Owner.
A. for. 13152.....	Langenscheidts Universalwörterbuch, Spanisch, 1931.	Unknown.....	Langenscheidtsche Verlagsbuchhandlung, Berlin-Schöneberg, Germany (nationality German).	Owner.
A. for. 28641.....	Auf Forschungsreisen in Mexico, 1925.....	Cäcilie Seler-Sachs of Germany (nationality German).	Ullstein Verlag A. G., Berlin, Germany (nationality German).	Author and owner.

[F. R. Doc. 45-21970; Filed, Dec. 7, 1945; 10:57 a. m.]

[Vesting Order 500A-173]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof [the names of which persons are listed (a) in Column 3 of said

Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered

by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights] are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or vesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of

and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C. on August 21, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1	Column 2	Column 3	Column 4	Column 5
Copyright numbers	Titles of works	Names and last known nationalities of authors	Names and last known addresses of owners of copyrights	Identified persons whose interests are being vested
Unknown.....	Nickel und Kobalt, 1944. (Die metallischen Rohstoffe, Hft. 6).	Georg Berg and Ferdinand Friedensburg (nationalities not established).	F. Enke, Stuttgart, Germany (nationality, German).	Owner.
Unknown.....	Adsorption von Gasen und Dämpfen in Laboratorium und Technik, 1944 (Technische Fortschrittsberichte, Bd. 49).	K. Bratzler (nationality not established).	T. Steinkopff, Dresden, Germany (nationality, German).	Owner.
Unknown.....	Hochleistungs-Gaserzeuger für Fahrzeugbetrieb und ortsfeste Anlagen. Verhalten der Brennstoffe und des Gases. Berechnung und Aufbau der Gaserzeuger und Reinigungsanlagen. Wirtschaftliche Betrachtungen, 2. neubearb. Aufl. 1943.	Hugo Finkbeiner (nationality not established).	Julius Springer, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Die tetanischen Erkrankungen der Erwachsenen, 1943.	Ernst Fünfgeld (nationality not established).	Georg Thieme, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Elektrodynamische Starkstrommaschinen, 1944.	Alfred Grabner (nationality not established).	S. Hirzel, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Die Chemotherapie der Pneumonien, 1942.	Robert Hegglin (nationality not established).	Georg Thieme, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Neuere Arzneimittel: Ihre Wirkung und Anwendung, 1944.	Burghard Helwig (nationality not established).	T. Steinkopff, Dresden, Germany (nationality, German).	Owner.
Unknown.....	Chemie der organischen Kunststoffe, 2. verbess. Aufl. 1942.	Wilhelm Huntenburg (nationality not established).	J. A. Barth, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Einführung in die Schwingungserzeugung elektrischer Ultrakurzwellen, 1944.	H. Klinger (nationality not established).	S. Hirzel, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Nitrocellulosesacke, 2. gänzlich umgearbeit. und erweit. Aufl. 1943.	A. Kraus (nationality not established).	Pansegrouw, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Praktische Verzahnungstechnik. Eine zusammenfassende Darstellung der gebräuchlichsten Verfahren, Maschinen und Geräte zum Herstellen und messen der Verzahnungen, 2. Aufl. 1944.	Walter Krumme (nationality not established).	Hanser, München, Germany (nationality, German).	Owner.
Unknown.....	Blutkonservierung und Transfusion von konserviertem Blut, 1942.	O. Schüreh and H. Willenegger, and H. Knoll (nationalities not established).	Julius Springer, Wien, Germany (nationality, German).	Owner.
Unknown.....	Physik der Sternatmosphären mit besonderer Berücksichtigung der Sonne, 1938.	Albrecht Unsöld (nationality not established).	Julius Springer, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Methodik und Ergebnisse fortlaufender Blutdruckscreibung am Menschen, 1942.	R. Wagner and others (Nationalities not established).	Georg Thieme, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Grundlagen der Metallkunde, 1941, 2. Aufl.	Georg Masling (Nationality not established).	Julius Springer, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Mathematik für Naturwissenschaftler und Chemiker, 1944, 4. Aufl.	Hugo Sirk (Nationality not established).	T. Steinkopff, Dresden, Germany (nationality, German).	Owner.
Unknown.....	Die Fabrikation von Trockenbatterien und Bleiakkumulatoren, 2. Aufl. 1944, 2 vols.	C. Drotschmann and P. J. Moll (Nationalities not established).	Academische Verlagsgesellschaft, Leipzig, Germany (nationality, German).	Owner.
A for. 36141.....	Kurzgefasstes Handbuch aller Legierungen, 1937.	Ernst Jänecke of Germany (nationality, German).	Otto Spamer Verlag, Crusiusstr. 10 Leipzig, Germany (nationality, German).	Owner and author.

[Vesting Order 500A-174]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof [the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights] are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified

persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form AFC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on September 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Chlorkautschuk und die fibrigen Halogenverbindungen des Kautschuks, 1937.	Andreas Nielsen (nationality not established).	S. Hirzel, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Schloss Gripsholm, 1931.	Kurt Tucholsky (nationality not established).	Ernst Rowohlt Verlag, K. G. a. A., Berlin W. 50, Germany (nationality, German).	Owner.
Unknown.....	Abenteuer des Schienenstranges, 1926.	Jack London (nationality not established).	Universitas Deutsche, Verlags-Aktiengesellschaft, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Danton, 1930.	Hermann Wendel (nationality not established).	Ernst Rowohlt, K. G. A. A., Berlin 50, Germany (nationality, German).	Owner.
Unknown.....	Das Verhältnis, 1922.	Karl Ettlinger (Karlichen) (nationality not established).	Dürr und Weber m. G. H., Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Kultur und Ethik, 1923.	Albert Schweitzer (nationality not established).	C. H. Beck'sche Verlagsbuchhandlung, München, Germany (nationality, German).	Owner.
A For. 37119.....	Hartmetallwerkzeuge, Wirkungsweise, Behandlung, Konstruktion und Anwendung. 2. völlig neu bearbeit. Aufl., 1937.	Curt Arge and Karl Becker (nationalities not established).	Verlag Chemie, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Kapillarschemie; eine Darstellung der Chemie der Kolloide und verwandter Gebiete. 4. umgearbeitete Aufl. 1930-32. 2 vols.	Herbert Freundlich (nationality not established).	Akad. Verlagsges, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Handbuch der Virusforschung. 3 vols. 1938-1944.	Herausg. von Robert Doerr und Curt Hallauer. (nationalities not established).	Julius Springer, Wien, Germany (nationality, German).	Owner.
Unknown.....	Theorien der Kosmologie. 1942.	Otto Heckmann (nationality not established).	Julius Springer, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Die Physik der Atomkerne. 1943 (Die Wissenschaft. Bd. 100).	Werner Heisenberg (nationality not established).	Vieweg, Braunschweig, Germany (nationality, German).	Owner.
Unknown.....	Theoretische Grundlagen der organischen Chemie, 4. Aufl. 1943, 2 vols.	Walter Hückel (nationality not established).	Akad. Verlagsges, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Materiewellen und ihre Interferenzen. 1944. (Physik und Chemie und ihre Anwendungen in Einzeldarstellungen. Bd. 7).	Max T. F. Leuc (nationality not established).	Akad. Verlagsges, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Einführung in die Quantentheorie der Wellenfelder. 1943.	Gregor Wentzel (nationality not established).	Deuticke, Wien, Germany (nationality, German).	Owner.
Unknown.....	Analyse von Färbungen. 1937.	Eduard Zühike (nationality not established).	Jänecke, Leipzig, Germany (nationality, German).	Owner.

[Vesting Order 500A-175]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof [the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights] are nationals of one or more foreign countries:

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such un-

identified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or vesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on September 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A—

Column 1	Column 2	Column 3	Column 4	Column 5
Copyright numbers	Titles of works	Names and last known nationalities of authors	Names and last known addresses of owners of copyrights	Identified persons whose interests are being vested
A for. 37053.....	Jumbo, 1927.....	Karl Rohr of Germany (nationality, German).	J. F. Schreiber, Esslingen/N, Germany (nationality, German).	Author and owner
Unknown.....	Der Junge Luther. Zweite Auflage. 1929.....	Heinrich Boehmer (nationality not established).	der Flamberg Verlag, Gotha, Germany (nationality, German).	Owner.
Unknown.....	Kolloidechemie der Stärke. 1927. (Handbuch der Kolloidwissenschaft. Bd. 2).	M. Samec (nationality not established).	T. Steinkopf Dresden, Germany (nationality, German).	Owner.
A for. 25779.....	Lehrbuch der topologie, 1934.....	H. Seifert und W. Threlfall of Germany (nationalities, German).	B. G. Teubner Poststr 3, Leipzig, Germany (nationality, German).	Owner and authors.
A for. 35875.....	Vorlesungen über zahlentheorie 1-3 Band- (3 vols.), 1927.	Edmund Landau of Germany (nationality, German).	S. Hirzel, Königstr 2, Leipzig, Germany (nationality, German).	Author and owner.
A for. 11653.....	Metoula-Sprachführer, Russisch, 1931.....	Karl August Paffen of Germany (nationality German).	Langenscheidt, Berlin, Germany (nationality, German).	Author and owner.
A for. 17899.....	100 Briefe Englisch für export und import, 1932.	John Libis of Germany (nationality, German).	Langenscheidt, Berlin, Germany (nationality, German).	Author and owner.
A for. 21445.....	Metoula-Sprachführer Französisch, 1932.....	Karl Hellwig of Germany (nationality, German).	Langenscheidt, Berlin, Germany (nationality, German).	Author and owner.
A for. 13793.....	Metoula-Sprachführer Englisch, 1931.....	D. Borchard (editor) of Germany (nationality, German).	Langenscheidt, Berlin, Germany (nationality, German).	Owner and editor.
A for. 17898.....	100 Briefe Spanisch für export und import, 1932.	John Libis of Germany (nationality German).	Langenscheidt, Berlin, Germany (nationality, German).	Author and owner.

[F. R. Doc. 45-21973; Filed, Dec. 7, 1945; 10:58 a. m.]

[Vesting Order 500A-176]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in

Column 5 of Exhibit A attached hereto and made a part hereof [the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2 and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively,

of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights] are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and

all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant

to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or reversioning, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determina-

tion of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on October 23, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1	Column 2	Column 3	Column 4	Column 5
Copyright numbers	Titles of works	Names and last known nationalities of authors	Names and last known addresses of owners of copyrights	Identified persons whose interests are being vested
Unknown.....	Grundlagen der Verstärkertechnik 2. Verbesserte Auflage, 1943.	Hans Bartels (nationality not established).	S. Hirzel, Leipzig, Germany (nationality, German).	Owner.
Unknown.....	Analyse der Fette und Wachse sowie der Erzeugnisse der Fettindustrie, erster Band, Methoden, 1925.	Dr. Adolf Grün (nationality not established).	Julius Springer, Berlin, Germany (nationality, German).	Owner.
A. for. 18905.....	Fastperiodische Funktionen, 1932.....	Harald August, Bohr of Denmark (nationality, Danish).	Julius Springer, Berlin, Germany (nationality, German).	Owner.
Unknown.....	Sonne, Regen, Schnee und Wind, 1918.....	Sophie Reinheimer (nationality not established).	Franz Schneider, Verlag, Berlin-Schoeneberg und Leipzig, Germany (nationality, German).	Owner.

[F. R. Doc. 45-21974; Filed, Dec. 7, 1945; 10:58 a. m.]

[Vesting Order CE-60, Amdt.]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTION OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Vesting Order Number CE-60, dated October 30, 1945, is hereby amended as follows and not otherwise:

By deleting the words "Birmingham National Bank, Derby, Connecticut, Account for the benefit of Tony Di Nardo", appearing in Column 5, of Item 20 in Exhibit A, and substituting therefor the words "Derby Savings Bank, Derby, Connecticut, Account No. 91291 under the designation, "Tony Di Nardo, subject to the order of the Court of Probate for the District of Derby and the Alien Property Custodian".

All other provisions of said Vesting Order Number CE-60 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 4, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-21980; Filed, Dec. 7, 1945; 10:59 a. m.]

[Vesting Order CE 70]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appear-

ing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in

said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 27, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Peter Semeraro	Italy	Estate of Dan Semeraro, deceased, in the Surrogate's Court, Cattaraugus County, N. Y.	\$2,392.97	Salamanca Trust Co., Executor of the Estate of Dan Semeraro, deceased, Salamanca, N. Y.	\$15.00
Angelo Semeraro	Italy	Same	2,392.97	Same	15.60
Joseph Semeraro	Italy	Same	2,392.97	Same	15.60
Vito Semeraro	Italy	Same	2,392.99	Same	15.60
Maria Semeraro	Italy	Same	2,392.99	Same	15.60
<i>Item 2</i>					
Legal Representatives, Executor or Executors, Administrator or Administrators, Next of Kin, Legatees and Assigns, if any, of Georges Bellivet, deceased.	France	Estate of Ernest H. de Coppet, deceased, in the Surrogate's Court, Nassau County, N. Y.	700.00	The County Treasurer of Nassau County, Mineola, N. Y.	18.00
Claude de Coppet	France	Same	3,263.67	Same	86.00
<i>Item 3</i>					
Wilhelmina Muller	Denmark	Estate of Otto Muller, deceased, in the Surrogate's Court, Westchester County, N. Y., Docket No. 1771/41.	1,815.77	Commissioner of Finance, Westchester County, White Plains, N. Y.	97.00
<i>Item 4</i>					
Institut des Soeurs des Missions Etrangeres, of Convent Notre Dame de la Mothe.	France	Estate of Mary Aloysia Abbot, deceased, in the Surrogate's Court, New York County, N. Y., File No. P-2627/35.	4,465.79	Richard Walther Condon, 70 Pine St., New York, N. Y., and Louis C. Haggerty, 60 East 42d St., New York, N. Y., co-executors of the Estate of Mary A. Abbot, deceased.	94.00
<i>Item 5</i>					
Maurice Pierre Le Vagueres	France	Estate of Georgette Andrea Dop Le Vagueres, deceased, in the Surrogate's Court, New York County, N. Y., File No. A-2593/38.	5,563.82	Jessie V. Maier, 104 West 70th Street, New York, N. Y., and Morton Maier, 12 West 72nd Street, New York, N. Y., Executors of the Estate of Georgette Andrea Dop Le Vagueres, deceased.	134.89
<i>Item 6</i>					
Olga Minikes	France	Estate of Aaron Horwitz, deceased, in the Surrogate's Court, Kings County, N. Y., File No. 2954/43.	473.07	Max Horwitz, Administrator of the Estate of Aaron Horwitz, deceased, 7914 21st Ave., Brooklyn, N. Y.	100.00
<i>Item 7</i>					
Gwendolyn King Donahue	France	United States Trust Company of New York, et al., versus Gwendolyn King Donahue, et al., in the Supreme Court, New York County, New York, Index No. 11739/43.	(1)	United States Trust Co. of New York, Reginald Dorsey Mohun and Cecil Peabody Mohun, Trustees under an agreement of Trust dated Jan. 23, 1932 made by Anna R. Barry King, 45 Wall St., New York, N. Y.	100.00
<i>Item 8</i>					
Ernest A. Labouchere	France	Frederick R. Coudert, et al., Plaintiffs, versus Bankers Trust Co., et al., Defendants, in the Supreme Court, Richmond County, N. Y., Index No. 307.	(1)	Frederick R. Coudert and United States Trust Co. of New York, as Trustees of the Trust created for Ernest A. Labouchere, c/o Coudert Bros., Esqs., 2 Rector St., New York, N. Y.	86.00
<i>Item 9</i>					
Katherine Breck Onofrii	Italy	President and Directors of the Manhattan Company, versus Breck, et al., in the Supreme Court, New York County, N. Y., Index No. 14074/44.	(1)	President and Directors of the Manhattan Co., 40 Wall St., New York, N. Y.	104.00
<i>Item 10</i>					
Millie M. Couderay	France	Estate of Agnes M. Alaux, deceased, in the Surrogate's Court, New York County, N. Y., Index No. A-129/37.	(1)	Fifth Avenue Bank of New York, Ancillary Administrator of the Estate of Agnes M. Alaux, deceased, 530 5th Ave., New York, N. Y.	65.00
<i>Item 11</i>					
Hilda M. M. d'Hauteville	France	Same	(1)	Same	65.00

¹ Income from Trust established under agreement of Anna R. Barry King, dated Jan. 23, 1932.

² Income from Trust under deed of Grace Whitney Hoff.

³ Income and principal of trust established under deed of Katharine Head Breck, dated July 2, 1931.

⁴ \$192,066.88 represented by cash and securities.

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Harriet Jackson Raldiris.....	France.....	Trust under the will of Henry A. Jackson, deceased, in the Surrogate's Court, Westchester County, N. Y., File No. 1925/43.	(5)	Statler E. Jackson, 75 Harmon Ave., Pelham, N. Y., and Guaranty Trust Co. of New York, 140 Broadway, New York, N. Y., Executors and Trustees under the will of Henry A. Jackson, deceased.	\$146.00

¹ \$10,000.00 annually during life not to exceed \$100,000.00.

[F. R. Doc. 45-21975; Filed, Dec. 7, 1945; 10: 58 a. m.]

[Vesting Order CE 71]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or

was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 4, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Barbara Linkova.....	Czechoslovakia.....	Item 1 Estate of Charles Linek, deceased, in the Surrogate's Court, New York County, N. Y., File No. P-1510/42.	\$1,822.86	Treasurer of the City of New York, Municipal Building, New York, N. Y.	\$19.00
Marie Vozabova.....	Czechoslovakia.....	Item 2 Same.....	1,822.86	Same.....	19.00
Anna Stoklasova.....	Czechoslovakia.....	Item 3 Same.....	1,822.86	Same.....	19.00
Frantisek Linek.....	Czechoslovakia.....	Item 4 Same.....	1,822.86	Same.....	19.00
Antonin Linek.....	Czechoslovakia.....	Item 5 Same.....	1,822.86	Same.....	19.00
Alois Linek.....	Czechoslovakia.....	Item 6 Same.....	1,822.86	Same.....	19.00
Catherine Schreiber.....	Belgium.....	Item 7 Estate of Louis Jean Schreiber, also known as Louis Schreiber, deceased, in the Surrogate's Court, New York County, N. Y., Index No. A-2055/42.	1,237.95	Same.....	10.00
Louise Van Beurden.....	Belgium.....	Item 8 Same.....	987.94	Same.....	8.00
Paul R. Schreiber.....	Belgium.....	Item 9 Same.....	987.94	Same.....	8.00
Pauline Csucsuk.....	Poland.....	Item 10 Estate of Maria Mycick, deceased, in the Surrogate's Court, New York County, N. Y., Docket No. 1787/41.	467.43	Same.....	18.00
Joseph Fedyk.....	Poland.....	Item 11 Same.....	467.43	Same.....	18.00
Nestor Fedyk.....	Poland.....	Item 12 Same.....	467.43	Same.....	18.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 13</i>					
Leja Lewin	Poland	Estate of Isaac M. Hurwitz, also known as Isaac M. Hurowitz, deceased, in the Surrogate's Court, Bronx County, N. Y.	\$203.07	Treasurer of the City of New York, Municipal Building, New York, N. Y.	\$33.00
<i>Item 14</i>					
Mary Calkowitz	Poland	Same	203.07	Same	33.00
<i>Item 15</i>					
Mary Elizabeth Neilsen	Denmark	Estate of Peter Dixson, deceased, in the Surrogate's Court, Kings County, New York, Docket No. 4321/40.	8,666.80	Same	23.00
<i>Item 16</i>					
Fannie Marian Thora Ebbesen	Denmark	Same	8,666.80	Same	23.00
<i>Item 17</i>					
Anna Macneven de Ipanema Moreira	France	Estate of Rosa Macneven Jones, deceased, in the Surrogate's Court, New York County, New York, File No. P-577/42.	21,367.45	Same	111.00
<i>Item 18</i>					
Marie Rose de Ipanema Moreira	France	Same	5,000.00	Same	26.00
<i>Item 19</i>					
Monica de Ipanema Moreira	France	Same	5,000.00	Same	26.00
<i>Item 20</i>					
Margaret Kelly	France	Same	1,000.00	Same	5.00
<i>Item 21</i>					
Louis G. Ferrer	France	Estate of John T. Underwood, deceased, in the Surrogate's Court, Kings County, N. Y., File No. 4944/37.	15,501.88	Same	225.00
<i>Item 22</i>					
Elvine Neeser	France	Estate of Caroline White, deceased, in the Surrogate's Court, New York County, N. Y., File No. P-340/41.	10,000.00	Same	104.00
<i>Item 23</i>					
Andre Marx	France	Estate of Edgard Dreyfus, Trust under the will for the benefit of Camille Dreyfus, in the Surrogate's Court, New York County, N. Y.	43,010.96	Same	76.00
<i>Item 24</i>					
Marcelle Marx Mery	France	Same	43,010.96	Same	76.00
<i>Item 25</i>					
Charlotte de Dieuleveult	France	Estate of James Charles Rocquet, deceased, in the Surrogate's Court, New York County, N. Y., Probate No. 1492/42.	30,000.00	Same	91.00
<i>Item 26</i>					
Wilhelmine Gunderson	Norway	Estate of Hans B. Gunnerson, also known as Henry Gunnerson, also known as Hans B. Gunderson, deceased, in the Surrogate's Court, New York County, N. Y., Index No. A-2140/42.	3,054.03	Same	48.00

[F. R. Doc. 45-21976; Filed, Dec. 7, 1945; 10:58 a. m.]

[Vesting Order CE 72]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said

persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in

the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on

Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 4, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
Ruth Ineson Tiekstra.....	Holland.....	Estate of Eliza H. Poulsen, deceased, Probate Court, District of Derby, Ansonia, Conn.	\$1,314.78	Savings Department, The Birmingham National Bank, Derby, Conn., Account No. 13753.	\$125.00
		<i>Item 2</i>			
Valeria Novagruskas.....	Lithuania.....	Estate of Victoria Luscinska, deceased, Probate Court, District of Enfield, Thompsonville, Conn.	500.00	Vincent J. Banis, Trustee for Valeria Novagruskas, Seitico, Conn.	50.00
		<i>Item 3</i>			
Valborg Johnson.....	Norway.....	Estate of Susan H. Moore, deceased, Probate Court, District of Stamford, Conn.	500.00	Frances C. Herrick, Executrix of the Estate of Susan H. Moore, deceased, c/o Cummings and Lockwood, Esqs., 1 Atlantic St., Stamford, Conn.	35.00
		<i>Item 4</i>			
Veronica Scovron.....	Czechoslovakia.....	Estate of Katie Martin, also known as Kate Marten, also known as Katherine Marzinko, deceased, Probate Court, District of Bridgeport, Conn.	500.00	Frank Habansky, Executor of the Estate of Katie Martin, deceased, 955 Main St., Bridgeport, Conn.	50.00
		<i>Item 5</i>			
Monica Lillian Zilliacus.....	Finland.....	Estate of Monica Lillian Zilliacus, a minor, Probate Court, District of Stamford, Conn.	14,137.60	The First Stamford National Bank & Trust Co., Guardian, 1 Atlantic St., Stamford, Conn.	149.00
		<i>Item 6</i>			
Oswald Peter McLaurin Zilliacus.....	Finland.....	Estate of Oswald Peter McLaurin Zilliacus, a minor, Probate Court, District of Stamford, Conn.	14,137.65	Same.....	149.00
		<i>Item 7</i>			
Santo Venturelli.....	Italy.....	Estate of Benedetto Venturelli, deceased, Probate Court, District of Fairfield, Conn.	2,102.46	Edward Schine, Trustee, 1115 Main St., Bridgeport, Conn.	167.00
		<i>Item 8</i>			
Teresa Venturelli.....	Italy.....	Same.....	2,102.46	Same.....	167.00

[F. R. Doc. 45-21977; Filed, Dec. 7, 1945; 10:58 a. m.]

[Vesting Order CE 73]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 4, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A*

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
Frances Brindza.....	Czechoslovakia.....	Estate of Mary Presser, also known as Marie Presser, deceased, in the Surrogate's Court, Schenectady County, N. Y.	\$133.00	The County Treasurer of Schenectady County, Schenectady, N. Y.	\$21.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 2</i>			
Pauline Hybl.....	Czechoslovakia.....	Estate of Mary Gisondi, deceased, in the Surrogate's Court, Schenectady County, N. Y.	\$133.00	The County Treasurer of Schenectady County, Schenectady, N. Y.	\$21.00
Aloisie Nemecek.....	Czechoslovakia.....	Same.....	344.77	Same.....	10.00
Kristina Hostomlatsky Hnatnický.....	Czechoslovakia	Same.....	344.77	Same.....	10.00
Jan Nemecek.....	Czechoslovakia	Same.....	344.77	Same.....	10.00
Josef Nemecek.....	Czechoslovakia	Same.....	344.77	Same.....	10.00
Frautisek Nemecek.....	Czechoslovakia	Same.....	344.77	Same.....	10.00
		<i>Item 8</i>			
Mary Colucci.....	Italy.....	Estate of Leone Colucci, deceased, in the Surrogate's Court, Erie County, N. Y.	250.00	The County Treasurer of Erie County, N. Y.	31.00
Catherina Colucci.....	Italy.....	Same.....	250.00	Same.....	31.00
		<i>Item 10</i>			
Josephine Atrio and "Mary" Atrio.....	Italy.....	Estate of Antonio Atrio, deceased, in the Surrogate's Court, Nassau County, N. Y.	804.33	Harry L. Hedger, Administrator of the Estate of Antonio Atrio, deceased, 41 Franklin Ave., Mineola, N. Y.	58.86
		<i>Item 11</i>			
Pierrette Orsine.....	France.....	Estate of Gabrielle Godard, deceased, in the Surrogate's Court, New York County, N. Y., File No. P-352/42.	7,692.33	Miss Alice Dillingham, Executrix of the Estate of Gabrielle Godard, deceased, 70 Pine St., New York, N. Y.	63.00
		<i>Item 12</i>			
Anna Macneven de Ipanema Moreira.....	France.....	Bank of New York & Trust Co., now known as Bank of New York, as Successor Trustee under a certain deed of Trust made by William Macneven Purdy, deceased, et al., versus Theodore Maxwell Jones, et al, in the Supreme Court, Dutchess County, N. Y.	1,833.04	The County Treasurer of Dutchess County, Poughkeepsie, N. Y.	54.00
		<i>Item 13</i>			
Bertha Bonzon.....	France.....	Trust under the will of Mathilda S. Siegman, deceased, in the Surrogate's Court, New York County, N. Y., File No. P-872/40.	11,200.00	Virginia S. Esmerian, 905 Fifth Ave., New York, N. Y., and Mathilde Bonzon, 299 Park Ave., New York, N. Y., as Trustees.	123.00
		<i>Item 14</i>			
Karoline Bastrup.....	Denmark.....	Estate of Julie Kramer, deceased, in the Surrogate's Court, Queens County, N. Y., Probate No. 3078/43.	5,081.79	Marine Midland Trust Co. of New York, 17 Battery Pl., New York, N. Y., in a special blocked account of the Consulate General of Denmark, in trust for Karoline Bastrup.	369.00
		<i>Item 15</i>			
Simone Isabelle Marguerite Singer also known as Simone I. M. Pastorboni.....	Italy.....	Estate of Franklin Morse Singer, deceased, in the Surrogate's Court, Westchester County, N. Y., File No. 336/40.	(?)	Emilie L. H. Singer, Frederick G. I. Singer & Hall Park McCullough, Trustees, c/o Saxe, Bacon & O'Shea, Esqs., 102 Maiden Lane, New York, N. Y.	160.00
		<i>Item 16</i>			
Daisy W. Dugardin, also known as Winnaretta Ollivier and Daisy Winnaretta Dugardin.....	France.....	Same.....	(?)	Same.....	160.00
		<i>Item 17</i>			
Isabelle M. Singer, also known as Isabelle Maud Singer and Sister Marie du Coeur de Jesus.....	France.....	Same.....	(?)	Guaranty Trust Co. of N. Y., Trustee, 140 Broadway, New York, N. Y.	160.00
		<i>Item 18</i>			
Mrs. Marie Fletcher and Etienne Louis Fletcher.....	Belgium and France.....	Trust under the will of Walter S. Fletcher, deceased, in the Supreme Court of the State of New York, New York County, File No. 10197/40.	(?)	The Chase National Bank of the City of New York, as Successor Trustee by Consolidation and Merger to the Equitable Trust Co. of New York, Trustee of the Trust created by the Last Will and Testament of Walter S. Fletcher, deceased, 18 Pine Street, New York, N. Y.	102.00
		<i>Item 19</i>			
George Isanc Pialoglou.....	Greece.....	Estate of Amalia Pialoglou, deceased, in the Surrogate's Court, New York County, New York, Index No. P-201/42.	(?)	Guaranty Trust Company, Executor of the Estate of Amalia Pialoglou, deceased, 140 Broadway, New York, N. Y.	5.00
		<i>Item 20</i>			
Anna A. Lambridis.....	Greece.....	Same.....	(?)	Same.....	33.00
		<i>Item 21</i>			
Constantin Isaac Pialoglou.....	Greece.....	Same.....	(?)	Same.....	33.00

¹ Per annum for life.² Income from Trust established under the will of Franklin Morse Singer, deceased, as modified by a compromise agreement, dated January 20, 1940.³ Income from Trust established under the will of Walter S. Fletcher, deceased.⁴ Legatee in the sum of \$5,000.00.⁵ $\frac{1}{2}$ of the residuary estate estimated to be about \$84,000.00.

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Alfred Veit.....	France.....	<i>Item 22</i> Trust under the will of Maurice Veit, deceased, in the Surrogate's Court, New York County, New York, File No. P-1696/38.	(0)	Lee J. Wolfe, 116 John Street, New York, New York, and The Chase National Bank of the City of New York, 11 Broad Street, New York, N. Y.	\$108.00
Anne Minot.....	France.....	<i>Item 23</i> Trust under the will of Luther Kountze, deceased, in the Surrogate's Court, New York County, N. Y.	(0)	Guaranty Trust Company of New York and de Lancey Kountze, 140 Broadway, New York, N. Y., as Trustees under the will of Luther Kountze, deceased.	88.00
Wilhelmine Marie Nielsen.....	Denmark.....	<i>Item 24</i> Estate of Hans Rasmussen, deceased, in the Surrogate's Court, Erie County, N. Y.	\$3,459.19	The County Treasurer of Erie County, Buffalo, N. Y.	78.00
Jennie Katherine Poulsen.....	Denmark.....	<i>Item 25</i> Same.....	2,459.19	Same.....	78.00

*Income from trust established under the will of Maurice Veit, deceased.

? Income from Trust established under the will of Luther Kountze, deceased, approximately \$17,000.00.

[F. R. Doc. 45-21978; Filed, Dec. 7, 1945; 10:58 a. m.]

[Vesting Order CE 74]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MASSACHUSETTS COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 4, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Bernard Barrol.....	France.....	<i>Item 1</i> Estate of Ann Tower Tarbell, deceased, Probate Court, Suffolk County, Mass., No. 316703.	\$1,000.00	Walter L. Van Kleeck, Executor of the Estate of Ann Tower Tarbell, deceased, c/o Hutchins & Wheeler, 49 Federal St., Boston, Mass.	\$28.00
Church Authorities of the Community of Montemiletto.....	Italy.....	<i>Item 2</i> Estate of Filomena Damato, deceased, Probate Court, Suffolk County, Mass., No. 317009.	445.00	First Judge of the Probate Court of Suffolk County, Boston, Mass.	30.00
Town of Monte Vergino.....	Italy.....	<i>Item 3</i> Same.....	178.00	Same.....	12.00
Margerita DiDonato.....	Italy.....	<i>Item 4</i> Same.....	178.00	Same.....	12.00
Angelo DiDonato.....	Italy.....	<i>Item 5</i> Same.....	89.00	Same.....	6.00
Ruggiero DiDonato.....	Italy.....	<i>Item 6</i> Same.....	89.00	Same.....	6.00
Daughter of Giuseppe DiDonato and Margerita DiDonato.....	Italy.....	<i>Item 7</i> Same.....	89.00	Same.....	6.00
Aldo Milardi.....	Italy.....	<i>Item 8</i> Estate of Ruggerio Milardi, deceased, Probate Court, Berkshire County, Mass. No. 49583.	375.00	Judge of Probate Court of Berkshire County, Pittsfield, Mass.	25.00
Allesio Milardi.....	Italy.....	<i>Item 9</i> Same.....	375.00	Same.....	25.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Walter Syrek	Poland	<i>Item 10</i> Estate of Sophie E. Kozik, deceased, Probate Court, Hampden County, Mass., No. 72673.	\$500.00	First Judge of Probate Court of Hampden County, Springfield, Mass.	\$48.00
Stanley Syrek	Poland	<i>Item 11</i> Same	200.00	Same	11.00
Henry Syrek	Poland	<i>Item 12</i> Same	500.00	Same	48.00
Ida Marchi	Italy	<i>Item 13</i> Estate of Giocondo Marchi, deceased, Probate Court, Suffolk County, Mass., No. 308838.	722.33	First Judge of Probate Court of Suffolk County, Boston, Mass.	13.00
Corinto Marchi	Italy	<i>Item 14</i> Same	\$722.33	Same	13.00
Ragna Rodaas	Norway	<i>Item 15</i> Estate of Petrea A. Jensen, deceased, Probate Court, Middlesex County, Mass., No. 253764.	\$100.00	First Judge of Probate Court of Middlesex County, East Cambridge, Mass.	28.00
Marie K. Andreason	Denmark	<i>Item 16</i> Estate of Helen W. Stockwell, deceased, Probate Court, Middlesex County, Mass., No. 194038.	(¹)	Boston Safe Deposit & Trust Co., Trustee, 100 Franklin St., Boston, Mass.	125.00
Orsola Sherburne	Italy	<i>Item 17</i> Trust under the will of Henry A. Sherburne, deceased, Probate Court, Suffolk County, Mass., No. 197241.	(²)	G. Endicott Putnam, Successor Trustee, c/o Herrick, Smith, Donald, Farley & Ketchum, 1 Federal St., Boston, Mass.	96.00
Roger A. Burr	France	<i>Item 18</i> Estate of Mary Ames Burr, deceased, Probate Court, Middlesex County, Mass., No. 76034	(³)	State Street Trust Co., Boston, Massachusetts, and Samuel H. Wolcott, c/o State Street Trust Co., co-trustees of the Estate of Mary Ames Burr, deceased.	146.00

¹ Annuity \$250.00 for life.² Income from Trust under the will of Henry A. Sherburne, deceased.³ Income from Trust established under the will of Mary Ames Burr, deceased.

[F. R. Doc. 45-21979; Filed, Dec. 7, 1945; 10:58 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 92 Under 3 (e)]

POLLY'S POLISH CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum delivered prices for sales in one pint bottles of "Polly's Perfect Polish," a furniture polish, manufactured by Polly's Polish Company, 6601 Corona Avenue, Bell, Calif., are established as follows:

	Per dozen pint bottles
For sales to wholesaler	\$4.52
For sales to retailer	5.42
For sales to consumer	7.20

¹ 60 cents each.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesaler or retailer, the manufacturer shall furnish such wholesaler and retailer with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of such commodity after the effective date

of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum retail price 60 cents.

This order shall become effective December 8, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-21979; Filed, Dec. 7, 1945;
11:33 a. m.]

[Order 93 Under 3 (e)]

CAROLE DRAPERIES, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to § 499.3 (e) of the General Maximum Price Regulation, *It is ordered:*

(1) That Carole Draperies of New York, New York, may sell Priscilla and Ruffled Draperies (paper) at a price not in excess of 60 cents per pair to retailers.

(2) Carole Draperies Inc. or retailers may sell this item at a price not in excess of \$1.00 per pair to consumers.

(3) These prices shall be subject to the same customary discounts, allowances and trade practices for each seller that were in effect during March 1942 for related items.

(4) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 8, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-21988; Filed, Dec. 7, 1945;
11:33 a. m.]

[MPR 120, Amdt. 2 to 2d Rev. Order 1432]

PORTER ELKHORN COAL CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Second Revised Order No. 1432 under Maximum Price Regulation No. 120 is amended in the following respect:

Paragraph (a) (2) is amended by adding thereto the following names and Mine index numbers:

Porter Elkhorn Coal Co.: 1110, 5788, 815, 7014, 7062, 7063, 7421.
High Grade Coal Co.: 7497, 7272, 7507, 5783.
Walter Stumbo: 7620.
Adkins & Ousley: 7621.

This amendment No. 2 to Second Revised Order No. 1432 under Maximum Price Regulation No. 120 shall become effective December 8, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-21999; Filed, Dec. 7, 1945;
11:33 a. m.]

[RMPR 136, Order 554]

NATHAN MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 554 Under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Nathan Manufacturing Company. Docket No. 6083-136.21-532.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales of Nathan Stationary Mechanical Lubricators by the Nathan Manufacturing Company, 250 Park Avenue, New York 17, N. Y., shall be determined as follows:

The manufacturer shall multiply by 132.00% the maximum prices he had in effect to a purchaser of the same class just prior to the issuance of this order.

(b) The maximum prices for sales of these products by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) The Nathan Manufacturing Company shall notify each person who buys these products for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 8, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22000; Filed, Dec. 7, 1945;
11:34 a. m.]

[RMPR 136, Order 555]

AERO ASSOCIATED SERVICES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register,

and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136; *It is ordered:*

(a) Aero Associated Services, 2003 East Van Buren Street, Phoenix, Ariz. may sell, f.o.b. plant, each Aero trailer, described in subparagraph (1) below, at a price not to exceed \$157.12 plus federal excise tax, and state and local taxes on its sale or delivery of the trailer, and the cost of transporting the trailer to the purchaser, if any.

(1) *Description.*

Arizona Trailer Model 1945; two-wheel dumping utility; 78" long x 46" wide x 14 1/4" high; 3/4 ton capacity equipped with 6.00 x 16 4-ply synthetic tires; all steel bed and frame; removable endgate; adjustable dump incline; constructed to take power attachments.

(b) Aero Associated Services is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price.* \$209.50.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Phoenix, Arizona, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Aero Associated Services to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Aero trailers in any of the territories or possessions of the United States is authorized to sell the trailer described in paragraph (a), at a price not to exceed the applicable price established in paragraph (b), to which it may add a sum equal to the expense incurred by or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective December 8, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22001; Filed, Dec. 7, 1945;
11:34 a. m.]

[RMPR 136, Order 556]

CHESTER BOWLES,
Administrator.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 556 Under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. John E. Fast & Company, Docket No. 6083-136.21-558.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by John E. Fast & Company, Chicago, Illinois of its fixed capacitors, other than those designed for automotive use, shall be as follows: The manufacturer shall multiply the maximum prices he had in effect on Oct. 1, 1941 by 118% and shall deduct from the resultant list prices all discounts, allowances and other deductions that he gave to a purchaser of the same class on October 1, 1941.

(b) Resellers of the items described in paragraph (a) may increase their maximum prices by the same percentage by which the maximum prices of their supplier have been increased on sales and deliveries to the reseller under the provisions of this order.

(c) John E. Fast & Company shall notify each person who buys the items listed in paragraph (a) of the percentage increase which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 8, 1945.

Issued this 7th day of December, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22002; Filed, Dec. 7, 1945;
11:34 a. m.]

[MPR 188, Correction to Order 1 Under Order 4418]

B. T. CRUMP CO., INC.

APPROVAL OF MAXIMUM PRICES

The above named order, issued November 29, 1945 was incorrectly designated Order No. 1. It is hereby corrected to read Order No. 4.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22004; Filed, Dec. 7, 1945;
11:32 a. m.]

[MPR 183, Amdt. 1 to Order 268]

OXFORD LTD.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith the Divi-

FEDERAL REGISTER, Tuesday, December 11, 1945

sion of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

Paragraph (a) of Order No. 268 under § 1499.158 of Maximum Price Regulation No. 188 be amended as follows:

(a) (1) The Oxford Limited of 853 Reed Street, Chicago, Ill. may sell and deliver the following upholstered chairs to retailers at prices no higher than those set forth below:

Pattern No.	Maximum prices				
	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9
(1) No. 117.....	\$31.31	\$32.81	\$34.56	\$36.51	\$30.01
(2) No. 105.....	30.08	31.58	33.33	35.23	28.73
(3) No. 100.....	23.46	24.41	25.51	26.81	22.66
(4) No. 124.....	30.87	31.17	32.92	34.87	30.07
(5) No. 108.....	35.19	36.79	38.59	40.59	33.84
(6) No. 90.....	29.86	31.36	33.11	35.11	28.56
(7) No. 138.....	29.82	31.12	32.87	34.82	29.02

(2) To determine your maximum prices for all sales and deliveries of articles of upholstered furniture of your manufacture to persons, other than retailers, who sell those articles from your stock (drop-shipment jobbers) your maximum prices are fifteen per cent less than your properly established maximum prices for sales to retailers.

(3) For all sales and deliveries of articles of upholstered furniture of your manufacture to persons, other than retailers, who sell those articles from their own stock (stock jobbers), your maximum prices are twenty per cent less than your properly established maximum prices for sales to retailers.

This amendment shall become effective on the 8th day of December 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22003; Filed, Dec. 7, 1945;
11:31 a. m.]

This correction shall become effective on the 8th day of December 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22006; Filed, Dec. 7, 1945;
11:32 a. m.]

Model No. _____
OPA Retail Ceiling Price—\$ _____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this revised order shall be established under the provisions of section 4.5 of SR 14J.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 8th day of December 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22005; Filed, Dec. 7, 1945;
11:31 a. m.]

[MPR 188, Order 4752]

RELIANCE LAMP & SHADE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:* Order No. 4620 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by The Parchlite Corporation, 87 35th Street, Brooklyn 32, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Table lamp.....	431	\$3.25	\$3.82	\$6.90
	434	3.75	4.41	7.95
Vanity lamp.....	432	3.25	3.82	6.90
	435	3.65	4.29	7.90
	436	2.85	3.35	6.00
	437	6.50	7.64	13.75
	438	8.00	9.41	16.95
	439	4.50	5.29	9.50

These maximum prices are for the articles described in the manufacturer's application dated October 26, 1945.

(2) For sales by all persons the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Decorated china table lamp base.....	700	\$5.10	\$6.00	Each \$10.80
	800	6.16	7.25	13.05

These maximum prices are for the articles described in the manufacturer's application dated October 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

Model No. P-20

OPA Retail Ceiling Price—\$115 Each
Do Not Detach or Obliterate

Model No. P-17

OPA Retail Ceiling Price—\$29.50 Each
Do Not Detach or Obliterate

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of December, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22007; Filed, Dec. 7, 1945;
11:32 a. m.]

[MPR 188, Order 4753]

LIBERTY OUTFITS MANUFACTURING CO.,
INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Liberty Outfits Manufacturing Company, Incorporated, 93 Greene Street, New York 12, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Christmas tree set	C-5	\$0.54	\$0.635	\$1.15
	C-6	.30	.35	.65
	C-7	.54	.63 ¹ / ₂	1.15

These maximum prices are for the articles described in the manufacturer's application dated November 14, 1945.

No. 241—5

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of December 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22008; Filed, Dec. 7, 1945;
11:32 a. m.]

[MPR 188, Order 4754]

EKCO PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ekco Products Company, 1949 North Cicero Avenue, Chicago 39, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Potato masher	1905	\$9.00	\$10.80	\$12	\$1.50
Basting spoon	1908	7.50	9.00	10	1.25
Hamburger turner	1917	6.00	7.20	8	1.00
Cake turner	1931	6.00	7.20	8	1.00
Pot fork	1937	7.50	9.00	10	1.25
Wide blade spatula	1955	6.00	7.20	8	1.00
Narrow blade spatula	1956	6.00	7.20	8	1.00
Pie server	1980	6.00	7.20	8	1.00
Ladle	1945	7.50	9.00	10	1.25

These maximum prices are for the articles described in the manufacturer's application dated November 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

Model No. _____
OPA Retail Ceiling Price—\$_____
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 8th day of December 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22009; Filed, Dec. 7, 1945;
11:33 a. m.]

[MPR 188, Order 4755]

REMSSEN SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Remsen Sales Company, 964 Clarkson Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		
		Jobbers	Retailers	For sales by any person to consumers
3-way bronze plated high lighted torchiere without glass reflector, but with 5" Aztex onyx insert.	105.....	\$8.93	\$10.50	\$18.90
3-way bronze plated, high lighted torchiere without glass reflector but with 6" Aztex onyx insert.	106.....	9.78	11.50	20.70
3-way bronze plated, high lighted torchiere without glass reflector but with double decker base having 8" & 5" Aztex onyx inserts.	DD.....	14.21	16.75	30.15
3-way crystal torchiere without glass reflector but with double decker base equipped with 8" & 5" white onyx inserts.	DD Crystal.....	21.68	25.50	45.90

These maximum prices are for the articles described in the manufacturer's application dated October 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price \$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of December 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22010; Filed, Dec. 7, 1945;
11:33 a. m.]

[MPR 591, Order 160]

RED JACKET MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum list prices, f. o. b. point of shipment, for sales by any person to consumers of the following household water conditioners manufactured by the Red Jacket Manufacturing Company of Davenport, Iowa and described in its application dated July 27, 1945, shall be:

SA-30BS, household water conditioner—30,000 grains capacity	\$138.50
SA-50BS, household water conditioner—50,000 grains capacity	165.00
A-50BS, household water conditioner—50,000 grains capacity	188.00
A-75BS, household water conditioner—75,000 grains capacity	232.00
A-100BS, household water conditioner—100,000 grains capacity	272.00
A-150BS, household water conditioner—150,000 grains capacity	353.00
A-200BS, household water conditioner—200,000 grains capacity	425.00

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum list

prices specified in (a) above less a discount of 25 per cent.

(c) The maximum net prices, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum list prices specified in (a) above less successive discounts of 25 and 25 per cent.

(d) The maximum net prices established by this order shall be subject to discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) The Red Jacket Manufacturing Company shall attach to each household water conditioner covered by this order, a tag containing the following:

OPA Maximum Retail Price Not Installed \$_____

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 8, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22011; Filed, Dec. 7, 1945;
11:34 a. m.]

[MPR 591, Order 161]

MAIN CORNICE WORKS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, for sales by any person of the Metal Valley and Louvre Ventilator manufactured by Main Cornice Works of Los Angeles, Calif. and as described in the application dated October 5, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Jobbers	Dealers	Consumers
14" x 12" Louvre ventilator	\$0.50	\$0.60	\$1.00
Metal valley (price per foot)	.15	.18	.30

(b) The maximum net prices set forth in (a) above on sales by the Main Cornice Works to jobbers and dealers are f. o. b. point of manufacture.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 8, 1945.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22012; Filed, Dec. 7, 1945;
11:35 a. m.]

[MPR 571, Order 2]

FULLY MAINTAINED AND OPERATED TRUCK RENTALS ON CONSTRUCTION PROJECTS IN REGION 5

For the reasons set forth in the accompanying opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, sections 5 (a) and 14 of Maximum Price Regulation 571, it is hereby ordered:

(a) *Applicability.* (1) The maximum rates which may be charged for fully maintained and operated rentals of automotive equipment of the described types on construction and road maintenance projects in Region 5 (Texas, Oklahoma, Kansas, Missouri, Arkansas, and Louisiana) are set forth in Appendix A hereto. On and after the effective date of this order, the rates herein specified shall govern on all such rentals regardless of any other provisions of Maximum Price Regulation 571.

(b) *Modification of rates.* The Administrator may by order authorize rentals other than those provided in this order, either lower or higher, applicable to particular construction projects, where it is demonstrated that due to conditions peculiar to the project, the rates herein established are either higher or lower than would be generally fair and equitable, to either lessee or lessor.

(c) *Effective date of order.* As to any person who performed the same type of rental services on construction projects in March, 1942 and has a maximum rate under section 4 of the regulation properly reported under section 15 (b), or any person whose maximum rate was previously adjusted or established as provided in sections 5 or 8 of Maximum Price Regulation 571, this order applies to all rentals on and after the date of

the issuance of this order. As to any person who has not so established rental rates for the same or similar rental services, the rates prescribed herein constitute a price determination under sections 5 (a) and 14 of the regulation and apply to all rentals made on and after February 3, 1945, the effective date of Maximum Price Regulation 571.

(d) *Effect on applications under section 5 (a).* Any person subject to this order is exempt from the requirement of section 5 (a) as to the filing of a price determining application.

This order may be revoked or amended at any time.

Issued this 7th day of December 1945.

CHESTER BOWLES,
Administrator.

APPENDIX A—RENTALS OF MOTOR VEHICLE, TRAILER AND ACCESSORIAL EQUIPMENT ON A FULLY MAINTAINED AND OPERATED BASIS, LESS DRIVER

PART I—TRUCK AND PASSENGER CARS

Manufacturers rated capacity:	Maximum rate per hour
1/2-ton pickup truck	\$0.75
3/4-ton pickup truck	1.00
1-ton pickup truck	1.25
1 1/2-ton pickup truck	1.50
Station wagons or passenger cars	.75
1-ton flat bed, stake truck, or tractor-truck	1.25
1 1/2-ton flat bed, stake truck, or tractor-truck	1.50
2-ton flat bed, stake truck, or tractor-truck	2.00
2 1/2-ton flat bed, stake truck, or tractor-truck	2.25
3-ton flat bed, stake truck, or tractor-truck	2.50
3 1/2-ton flat bed, stake truck, or tractor-truck	3.00
4-ton flat bed, stake truck, or tractor-truck	3.25
4 1/2-ton flat bed, stake truck, or tractor-truck	3.50
5-ton flat bed, stake truck, or tractor-truck	4.00
6-9 ton flat bed, stake truck, or tractor-truck	4.50
10-14 ton flat bed, stake truck, or tractor-truck	5.00
15-18 ton flat bed, stake truck, or tractor-truck	6.00

Add the following rates per hour for:

(1) Power operated winch	.50
(2) Oil field bed, gin pole, boomer, and chains	.25
(3) Tandem drive axle	.25
(4) Front wheel drive	.25

Add the following rates per hour for—Continued

(5) Water tank (minimum of 500 gallons)	.15
(6) Stiff leg telescoping derrick	1.00
(7) Pipe unloader	3.00

PART II—TRAILERS

Pole type—single axle	.50
Pole type—tandem axle (18-ton payload)	1.00
Float or semi (12 1/2-ton payload)	.75
Full four wheel (12 1/2-ton payload)	.85
Tandem float (30-ton payload)	2.50
Low boy carry-all, 10-15 ton capacity	1.50
Low boy carry-all, 20-25 ton capacity	2.00
Low boy carry-all, 30-35 ton capacity	2.50
Low boy carry-all, 40-60 ton capacity	3.00

PART III—APPLICATION OF RATES

(a) All repairs and replacements; including tire replacements shall be made by and at the cost and expense of the lessor. Payment will not be made for use of equipment during the time when repairs are being made.

(b) These rates may be applied only to the hours of actual use, but do not contemplate lessee unreasonably retaining equipment in his possession when not in actual use.

Fully Maintained and Operated Basis Rental

(c) All fuel and lubricants used in the operation of motor vehicles shall be furnished (or paid for) by the lessor.

(d) Drivers wages are excluded from all rates indicated hereon.

(e) If driver is provided, lessor may add to the applicable rate set forth, the prevailing driver's wage in the area of the job site.

PART IV—DEFINITION AND GENERAL PROVISIONS

Fully maintained and operated basis refers to any lease, contract, or understanding, regardless of whether the same is denominated a rental agreement, or forms a part of another agreement, whereby one party undertakes to furnish another party with any of this equipment, and supply all services required therewith. (Excluding driver).

Rental rates set forth in this table are for fully maintained and operated vehicles (less drivers) or trailers, and include charges for mechanics, greasers, gasoline, fuel oil, lubricants, repairs, tire maintenance or any other charge which is properly a part of "maintenance and operating service." The rental rates set forth in this table include an allowance for the cost of all repairs and overhauling.

[F. R. Doc. 45-22056; Filed, Dec. 7, 1945;
4:36 p. m.]

Regional and District Office Orders.

[Region II Adopting Order G-1 Under Basic Order 1 Under Gen. Order 68]

WESTERN SOFTWOOD PLYWOOD IN NEW JERSEY, MARYLAND AND DELAWARE, DISTRICT OF COLUMBIA, AND EASTERN AND CENTRAL PENNSYLVANIA AND NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by General Order 68, and by Revised Procedural Regulation No. 1, it is hereby ordered:

SECTION 1. What this order covers. This Adopting Order under Basic Order No. 1 under General Order No. 68 covers all retail sales of the sizes and types of plywood listed in the annexed price tables made by sellers located in the States of Delaware, Maryland and New Jersey, the District of Columbia and in the following portions of the states of New York and Pennsylvania: In the State of New York the entire state east of but not including the counties of Niagara, Erie and Cattaraugus; in the State of Pennsylvania the entire state east and south of but not including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland and Washington. All provisions of Basic Order No. 1 under General Order No. 68 are adopted in this order and are just as much a part of this order as if specifically set forth herein. If said Basic Order No. 1 is amended in any respect the provisions of said order as amended shall likewise without further action become part of this order. All persons subject to this Adopting Order are also subject to Basic Order No. 1 under General Order No. 68 and should

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be familiar with the provisions of said order.

SEC. 2. Definition of retail sale. A retail sale means any sale to the ultimate consumer, or to a contractor for installation rather than resale, except where the sale is made by a plywood manufacturer, or a plywood distribution plant who in 1941 received more than 20 percent of its dollar income from the sales of plywood or veneer of any kind. These latter types of sales remain subject to the provisions of 3rd RMPR 13.

SEC. 3. Maximum prices. Maximum prices as herein set forth are different for each of two classes of retailers:

Class I retailers are those who since June 20, 1945, purchased or purchase at least one carload of plywood on direct mill shipment. Any shipment which comes directly from the mill without becoming an integral part of the stock of a distribution plant or a retail yard is a direct mill shipment no matter who the seller is.

Class II retailers are all other retail sellers, principally those who buy their plywood from distribution plants.

Maximum prices for Class I retailers are set forth in Tables I-A and I-B. Maximum prices for Class II retailers are set forth in Tables II-A and II-B. Tables I-A, I-B, II-A, and II-B are hereby annexed to and made a part of this order.

SEC. 4. Additions for delivery. The above prices include all charges and additions for delivery in the seller's free delivery zone as recognized by him during March 1942. No deduction need be made if the purchaser elects to do his own delivery. If delivery is made outside the free delivery zone, the seller may add for delivery as prescribed in section 4 and 5 of 3rd RMPR 13, namely the amount computed by multiplying the estimated weights in section 22 of 3rd RMPR 13 by the applicable rail freight rate. Any addition for delivery must be shown separately on the invoice.

SEC. 5. Discounts and allowances. The maximum prices in this order include all commissions. All customary discounts for cash must be continued. Differentials in price based on quantity sold must be observed as set forth in the price tables.

SEC. 6. Relationship of this order to Basic Order No. 1 under General Order No. 68 and to 3rd RMPR 13. As previously stated all provisions of Basic Order No. 1 are adopted by this order. The maximum prices fixed by this order supersede any maximum price or pricing method previously established by any other regulation or order and specifically by 3rd RMPR 13. Except to the extent that they are inconsistent with the provisions of this order all other provisions of 3rd RMPR 13 shall remain applicable to sales covered by this order.

SEC. 7. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of his list of maximum prices as fixed by this order in each place of business within the area covered by this order. Class I sellers shall post Tables I-A and I-B, and Class II sellers shall post Tables II-A and II-B. Posting of Tables II-A or II-B by Class I sellers is a violation of this order.

SEC. 8. Records and sales slips. The provisions of section (e) of Basic Order No. 1 covering sales slips and records are adopted in and applicable to this order as though specifically set forth herein; and also on any sale of \$50.00 or more each seller regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer
- (2) Date of transaction
- (3) Place of delivery

(4) Complete description of each item sold and price charged.

SEC. 9. Revocation or amendment. This order may be revised, amended, revoked or modified at any time by the Regional Administrator or the Price Administrator.

This order shall become effective December 18, 1945.

Issued this 3d day of December 1945.

LEO F. GENTNER,
Regional Administrator.

TABLE I-A—FIR PLYWOOD RETAIL MAXIMUM PRICES

For sellers who purchase plywood in carload quantities, located in the States of Delaware, Maryland, New Jersey, the District of Columbia, and those portions of the States of New York and Pennsylvania where the carload freight rate on plywood from Seattle, Washington, is 94½¢ per CWT. (See sec. 1 of order.)

[For quantities sold under 1,000 sq. ft. Price per square foot]

Thickness, widths to 48" (except plywood) lengths to 96" ¹	Plywall	Plyform	Plypanel, sound—2 sides ²	Marine	Exterior grades		Sound—1 side
					Sound—2 sides	Industrial	
1/4" 3-ply	6	8 1/4	6 1/4	10 1/4	8 1/4	8 1/4	8 1/4
3/8" 3-ply	8		9	12 1/4	11 1/4	11	10 1/4
1/2" 5-ply	10 1/4	14 1/4	12	18 1/4	16 1/4	16	15 1/4
5/8" 5-ply		16 1/4	14 1/4	21 1/4	19	18 1/4	18 1/4
3/4" 5-ply		18 1/4	16 1/4	24 1/2	22 1/2	22 1/4	21 1/4

¹ Plypanel prices are for widths over 36" through 48"; for widths over 24" through 36" deduct 1/4 cent per square foot; for widths 24" and under deduct 1/2 cent per square foot.

² For Plypanel sound 1 side, deduct 1/2 cent per square foot.

³ For widths over 48" through 60" (except Plywall) add 1 1/4 cents per square foot.

For lengths over 8' through 9' add 1/4 cent per square foot.

For lengths over 9' through 10' add 1 1/4 cents per square foot.

For lengths over 10' through 11' add 2 cents per square foot.

For lengths over 11' through 12' add 2 1/2 cents per square foot.

TABLE I-B—FIR PLYWOOD RETAIL MAXIMUM PRICES

For sellers who purchase Plywood in Carload Quantities, located in the States of Delaware, Maryland, New Jersey, the District of Columbia and those portions of the States of New York and Pennsylvania where the carload freight rate on plywood from Seattle, Washington, is 94½¢ per CWT. (See sec. 1 of order.)

[For quantities sold 1,000 sq. ft. or over prices per 1,000 square feet]

Thickness, widths to 48" (except plywood) lengths to 96" ¹	Plywall	Plyform	Plypanel, sound—2 sides ²	Marine	Exterior grades		Sound—1 side
					Sound—2 sides	Industrial	
1/4" 3-ply	\$54.20	\$74.55	\$61.40	\$94.45	\$81.15	\$78.25	\$75.30
3/8" 3-ply	73.85		81.95	117.15	103.85	100.90	98.00
1/2" 5-ply	99.45	131.05	109.95	168.40	148.45	145.55	142.60
5/8" 5-ply		148.70	129.95	195.00	175.05	172.15	169.20
3/4" 5-ply		166.80	148.65	225.80	205.85	202.95	200.00

¹ Plypanel prices are for widths over 36" through 48"; for widths over 24" through 36" deduct \$2.65 per 1,000 square feet; for widths 24" and under deduct \$4 per 1,000 square feet.

² For Plypanel sound 1 side, deduct \$3.70 per 1,000 square feet.

³ For widths over 48" through 60" (except Plywall) add \$11.75 per 1,000 square feet.

For lengths over 8' through 9' add \$7.75 per 1,000 square feet.

For lengths over 9' through 10' add \$11.75 per 1,000 square feet.

For lengths over 10' through 11' add \$10.45 per 1,000 square feet.

For lengths over 11' through 12' add \$23.45 per 1,000 square feet.

TABLE II-A—FIR PLYWOOD RETAIL MAXIMUM PRICES

For sellers who purchase plywood only from Jobbers and who are located in the States of Delaware, Maryland, New Jersey, the District of Columbia and those portions of the states of New York and Pennsylvania where the carload freight rate on Plywood from Seattle, Washington, is 94½¢ cents per cu. ft. (See sec. 1 of order.)

[For quantities sold less than 1,000 square feet. Price per square foot]

Thickness, widths to 48" (except plywood) lengths to 96" ¹	Plywall	Plyform	Plypanel, sound—2 sides ²	Marine	Exterior grades		Sound—1 side
					Sound—2 sides	Industrial	
1/4" 3-ply	6 1/4	8 1/4	7 1/4	11	9 1/2	9	8 3/4
3/8" 3-ply	8 1/2		9 1/2	13 1/4	12	11 1/4	11 1/2
1/2" 5-ply	11 1/2	15 1/4	12 1/2	19 1/4	17 1/4	17	16 1/2
5/8" 5-ply		17 1/4	15 1/4	22 1/4	20 1/2	20	19 1/2
3/4" 5-ply		19 1/2	17 1/4	26 1/2	24	23 1/4	23 1/4

¹ Plypanel prices for widths over 36" through 48"; for widths over 24" through 36" deduct 1/2 cent per square foot; for widths 24" and under deduct 1/4 cent per square foot.

² For Plypanel sound 1 side deduct from the sound 2 sides price 1/2 cent per square foot.

³ For widths over 48" through 60" (except Plywall) add 1 1/2 cents per square foot.

For lengths over 8' through 9' add 1 cent per square foot.

For lengths over 9' through 10' add 1 1/2 cents per square foot.

For lengths over 10' through 11' add 2 1/4 cents per square foot.

For lengths over 11' through 12' add 2 1/2 cents per square foot.

TABLE II-B—FIR PLYWOOD RETAIL MAXIMUM PRICES

For sellers who purchase plywood only from jobbers and who are located in the States of Delaware, Maryland, New Jersey and those portions of the States of New York and Pennsylvania where the carload freight rate on plywood from Seattle, Washington is 84½ cents per cut. (See Section 1 of Order)

[For quantities sold 1,000 square feet or over price per 1,000 square feet]

Thickness, widths to 48" (except Plypanel), ¹ lengths to 96" ²	Plywall	Plyform	Plypanel, ¹ sound—2 sides ²	Marine	Exterior grades		Sound—1 side
					Sound—2 sides	Industrial	
14" 3-ply	\$59.00	\$81.35	\$67.00	\$103.00	\$88.45	\$85.35	\$82.15
16" 3-ply	80.50		89.35	127.70	113.15	110.00	105.80
17" 5-ply	108.45	142.90	119.95	183.60	161.90	158.70	155.50
18" 5-ply			162.10	212.60	190.80	187.65	184.45
34" 5-ply			181.85	246.20	224.40	221.20	218.00

¹ Plypanel prices are for widths over 36" through 48"; for widths over 24" through 36" deduct \$2.00 per M square feet; for widths 24" and under deduct \$4.35 per M square feet.

² For Plypanel sound 1 side deduct from Plypanel sound 2 side prices \$4 per M square feet.

³ For widths over 48" through 60" (except Plywall) add \$12.75 per M square feet.

For lengths over 8' through 9' add \$8.40 per M square feet.

For lengths over 9' through 10' add \$12.75 per M square feet.

For lengths over 10' through 11' add \$21.15 per M square feet.

For lengths over 11' through 12' add \$25.50 per M square feet.

[F. R. Doc. 45-22050; Filed, Dec. 7, 1945; 2:43 p. m.]

[Region II Order G-3 Under SO 119]

E. A. LABORATORIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections #13, 14, and 16 of Supplementary Order #119, It is ordered:

(a) Manufacturer's maximum prices.

E. A. Laboratories, Inc., 144 Spencer Street, Brooklyn, New York may increase its maximum prices in effect immediately prior to the issuance of this order, for sales to each class of purchaser of bicycle accessories which it manufactures by 23.79% of each such maximum price.

(b) Maximum prices of purchasers for resale.

This paragraph sets forth the methods by which persons purchasing the bicycle accessories referred to in paragraph (a) shall determine their maximum resale prices:

(1) If the purchaser for resale has already established his maximum prices under the General Maximum Price Regulation for his resales of these articles prior to the issuance of this order, he may increase such maximum prices by 23.79%.

(2) If the purchaser for resale has not established his maximum prices for the bicycle accessories under the General Maximum Price Regulation, he shall proceed to do so, and may increase the maximum prices established under § 1499.2 of that regulation by 23.79%. However, if the applicable pricing provision of the General Maximum Price Regulation is § 1499.3 (a) which requires his maximum prices to be determined on the basis of cost, the reseller shall use the actual invoice price to him as his cost, and the price so computed shall not be increased in any amount. Ceiling prices which will be established under § 1499.3 (c) of that regulation, if that is the applicable pricing provision, will be based upon the supplier's prices as adjusted by this order.

(c) Terms of sale. Maximum prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

(d) Notification. At the time of, or prior to, the first invoice to a purchaser for resale showing a maximum price adjusted in accordance with the terms of this order, the seller shall notify such purchaser in writing of the methods established in paragraph (b) for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective immediately.

Issued this 3d day of December 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 45-22024; Filed, Dec. 7, 1945;
2:43 p. m.]

[Region II Order G-7 Under RMPR 136]

L. POWER & CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator, Region II, of the Office of Price Administration by Section 21 of Revised Maximum Price Regulation No. 136, as amended; *It is hereby ordered*, That:

(a) Maximum prices of L. Power & Co., 2815 Oakford Street, Philadelphia 46, Pa., for woodworking machinery produced by it shall be determined by adding 3% to its maximum prices as determined under Revised Maximum Price Regulation 136, as amended, "Machines and Parts and Industrial Equipment", without benefit of this Order.

(b) Maximum prices of persons who purchase woodworking machines from L. Power & Co. for resale shall be determined by adding to their maximum prices as determined under Revised Maximum Price Regulation 136, without benefit of this order, the dollars and cents amount of the increase in the price charged to them authorized by paragraph (a) hereof. At or before the first sale after the date hereof to any reseller L. Power & Co. shall notify such reseller in writing of the provisions of this paragraph.

(c) Customary discounts, allowances, and other price differentials shall be maintained on all sales affected by this order, except as otherwise provided herein.

(d) This order may be revoked, amended or corrected at any time.

(e) A copy of this order is being filed with the Division of the Federal Register, where it is open to inspection by the public.

(f) L. Power & Co. shall file with this office before the end of January, 1946, a balance sheet and profit and loss statement reflecting the results of its operations for the calendar year 1945.

(56 Stat. 23, 705; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9599)

This order shall become effective immediately.

Issued this 29th day of November 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 45-22030; Filed, Dec. 7, 1945;
2:46 p. m.]

[Region II Rev. Order G-53 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.280 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) Who may take the increase provided by this order. Dealers making sales of the higher priced anthracite specified in Appendix A in communities subject to the area dollars-and-cents orders listed in Appendix B, have one of two options:

(1) They may automatically redetermine their maximum prices on a current basis subject to the conditions outlined in paragraph (b) hereunder, or

(2) They may automatically redetermine their maximum prices for a one month period based on their receipts of designated higher cost anthracite during the previous calendar month, subject to the conditions outlined in paragraph (c) hereunder.

(b) Automatic pricing provisions; segregation basis—(1) Filing statement of election to price under paragraph (b).

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No dealer subject to this order may sell or deliver at the increased prices allowed by this paragraph (b) unless he first files with the District Office of the Office of Price Administration, within whose jurisdiction he sells anthracite, a statement that he elects to price under the automatic pricing provisions of this paragraph (b). The statement shall set forth (i) that the dealer will keep each kind of anthracite specified in Appendix A, which he may sell under the provisions of this paragraph, separate in storage and delivery from any other kind of solid fuel, and sell and invoice it under the name therein designated, and (ii) that he will not, as long as the election stands, increase his prices under the provisions of paragraph (c) of this order, and (iii) that he will file monthly reports as required by subparagraph (4) under this paragraph (b). A dealer who has filed an election to price under this paragraph (b) will be regarded as continuing to elect to price under paragraph (b) until he notifies the appropriate District Office of the Office of Price Administration that he has ceased to elect to price under paragraph (b). Dealers who elect to price under paragraph (b) of this order may not, at the same time, seek or obtain an increase under paragraph (c).

(2) *Determination of automatic increases.* Subject to the conditions and limitations set out below, dealers who sell anthracite specified in Appendix A within the territorial limits of the orders listed in Appendix B, and who have filed the required statement of election to price under paragraph (b), may add to the maximum per net ton price for designated sizes of anthracite established in those orders, an amount not to exceed the amount specified in Appendix A as the "permitted per net ton increase above applicable area ceiling price", for the kind and size of such anthracite as he sells.

(3) *Conditions and limitations.* To be eligible for the increases authorized by this paragraph (b), the dealer must keep each kind of anthracite specified in Appendix A, which he may sell under the provisions of this paragraph, separate in storage and delivery from any other kind of solid fuel, and sell and invoice it under the name therein designated.

(4) *Reports.* Every dealer who has availed himself of the automatic pricing provisions of paragraph (b) shall, between the first and tenth day of each month, file a monthly report to the District Office of the Office of Price Administration within whose jurisdiction he sells anthracite, showing the tonnage of specified anthracite (as contained in Appendix A) (i) on hand at the beginning of the previous calendar month, (ii) received by him during the previous calendar month, and (iii) sold by him during the previous calendar month. The dealer shall report such information in the following form: a separate report should be prepared for each kind of anthracite specified in Appendix A which the dealer

sells under the provisions of this paragraph (b):

Report for month of 194:
(Previous calendar month)

Under paragraph (b) (4) of Revised Order No. G-53 (Revised Maximum Price Regulation No. 122). Specified anthracite (appendix A) on hand, received and sold segregated from other solid fuels.

Kind (set forth designation as in appendix A e. g. "Jeddo" coal)	Size			
	Broken, egg, stove, nut Peas	Buckwheat	Rice	Barley
Inventory on hand at beginning of month	..... net tons	.....	.....	.....
Add—Receipts during month	..... net tons	.....	.....	.....
Total	..... net tons	.....	.....	.....
Deduct—Sales during month	..... net tons	.....	.....	.....
Inventory on hand at end of month	..... net tons	.....	.....	.....

ILLUSTRATION FOR CALCULATING AVERAGE INCREASE

Total tonnage received during previous calendar month	1,000 tons
Standard price anthracite (all sizes) 710 tons	No increase
Designate supplier as in appendix "A" stove 50 tons $\times \$0.25$ increase	\$12.50
Designate supplier as in appendix "A" nut 140 tons $\times \$0.70$ increase	98.00
Designate supplier as in appendix "A" buck 50 tons $\times \$0.40$ increase	20.00
Designate supplied as in appendix "A" rice 50 tons $\times \$0.25$ increase	12.50
Increase costs on 1,000 tons	143.00
\$143.00 + 1,000 tons = \$0.143 or \$0.15 per ton (rounding to nearest 5¢ is permitted).	

The dealer's determination of the increase in his maximum prices under this paragraph (c), in the light of the average increase in supplier's maximum prices for anthracite based on dealer's total anthracite receipts during the previous calendar month as reported to the District Office of the Office of Price Administration on or before the sixth day of the month, shall be deemed to be approved by the Office of Price Administration unless the dealer is notified in writing within five days from the receipt of the required information or the eleventh day of the month (whichever is later) by the Office of Price Administration that his determination has been disapproved or revised by the District Director.

(d) *Records.* Every dealer making sales of solid fuels subject to this order shall preserve, keep and make available for examination by the Office of Price Administration complete and accurate records of the quantities of the specified anthracite purchased and sold hereunder, and a record of every sale of such fuel with respect to which an automatic increase was added under paragraph (b), showing the date of sale, the quantity sold, and the name and address of the buyer, (if known), the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order.

(e) *Invoices, sales slips receipts.* If a dealer has charged more than the area dollars-and-cents ceiling price pursuant to paragraph (b) of this order, or pursuant to paragraph (c) of this order, the invoice, sales slip, or receipt required to be given in connection with sales of solid fuels shall: (1) designate the higher priced anthracite sold under paragraph (b), as described in Appendix A. (e. g. "Jeddo" coal, etc.) and (2) if the anthracite is sold under paragraph (b) or (c), carry the following statement: "Above price authorized by OPA Revised Order No. G-53".

(f) *Definitions and explanations.* When used in this Revised Order No. G-53 the terms (1) "Higher priced anthracite" shall mean anthracite that fully satisfies the description of the anthracite specified in Appendix A, as to the producer, source, preparation (breaker, etc.), and brand or trade name under which it is marketed, etc., where any or all of these elements are part of the

(iv) A statement declaring that the applicant did not segregate higher cost anthracite during the previous calendar month and avail himself of the automatic increases under paragraph (b) hereof.

(v) Any other pertinent information the District Director may request.

description of the anthracite there specified.

(2) The sizes of anthracite described in Appendix A as broken, egg, stove, nut, pea, buckwheat, rice and barley, shall refer to the same sizes of the same fuel as were sold and delivered with such designations during December 1941.

(3) Appendix A and Appendix B herein shall refer to Appendix A and Appendix B under Order No. G-53 as revised and amended as of December 1, 1945.

(4) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(g) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke, or rescind this Revised Order No. G-53, or any provision thereof, at any time.

This Revised Order No. G-53 shall become effective December 1, 1945.

NOTE: The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued November 21, 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 45-22029; Filed, Dec. 7, 1945;
2:45 p. m.]

[Region II Order G-70 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN NEW YORK
REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122; *It is ordered:*

(a) Dealers making sales of Pennsylvania anthracite subject to the area dollars-and-cents orders listed in paragraph (b) of this order, may increase the maximum per net ton price by the following amounts for the sizes specified. Where sales are made in fractions of a net ton, the increase shall be proportionate.

Size	Per net ton increase
Broken, egg, stove, nut	\$0.15
Pea	.15
Buckwheat	.10
Rice	.05
Barley	.05

(b) *Area dollars-and-cents orders subject to increases set out in paragraph (a) herein:*

The following orders under § 1340.260 of Revised Maximum Price Regulation No. 122 and any subsequent revisions thereof:

Revised Order No. G-3.
Revised Order No. G-7.
Revised Order No. G-16.
Revised Order No. G-17.
Revised Order No. G-19.
Order No. G-20.

The following order under Revised Maximum Price Regulation No. 122 and any subsequent revision thereof (issued by national office): Order No. 50.

The following orders under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and any subsequent revisions thereof:

Second Revised Order No. G-1.
Revised Order No. G-8.
Order No. G-9.
Revised Order No. G-11.
Revised Order No. G-12.
Revised Order No. G-13.
Revised Order No. G-14.
Revised Order No. G-15.
Revised Order No. G-18.
Order No. G-22. Order No. G-44.
Order No. G-24. Order No. G-45.
Order No. G-27. Order No. G-46.
Order No. G-29. Order No. G-49.
Order No. G-32. Order No. G-51.
Order No. G-35. Order No. G-52.
Order No. G-36. Order No. G-56.
Order No. G-37. Order No. G-59.
Order No. G-38. Order No. G-61.
Order No. G-39. Order No. G-66.
Order No. G-40. Order No. G-67.
Order No. G-41. Order No. G-69.
Order No. G-42.

(c) This order may be revoked, amended or corrected at any time.

This Order No. G-70 shall become effective December 1, 1945.

(56 Stat. 23, 765, 57 Stat. 566 Pub. Law 383, 79th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued November 30th, 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 45-22023; Filed, Dec. 7, 1945;
2:42 p. m.]

[Region III Order G-1 Under MPR 188]

MIDLAND METALCRAFT CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 and the authority vested in me by Section 1499.158a of Maximum Price Regulation No. 188, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Midland Metalcraft Corporation, Midland, Michigan.

(b) *Geographical applicability.* This order applies to all sales in the region by all sellers located within Region III which includes the States of Michigan, Indiana, (except Lake County), Ohio, West Virginia and Kentucky.

(c) *Maximum prices.* (1) For all sales and deliveries to the following classes of purchasers by all sellers, the maximum prices are those set forth below.

Article	For sales by the manufacturer to—		For sales by jobbers to retailers	For sales by retailers to consumers
	Jobbers	Retailers		
Uni-Tub with cover.	\$5.78	\$7.23	\$7.23	\$10.95

(2) For sales by all persons the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale.

(3) Except as herein provided, sales of all commodities to all classes of purchasers must be made in accordance with the applicable maximum price regulations or orders.

(d) At the time of or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the reseller in writing of permitted price increases allowed by this order for sales by resellers. This notice may be given in any convenient form.

(e) This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 19, 1945.

Issued: November 19, 1945.

E. C. TURNER,
Acting Regional Administrator.

[F. R. Doc. 45-22039; Filed, Dec. 7, 1945;
2:49 p. m.]

[Region III Order G-1 Under Gen. Order 61]

USED LUMBER IN MICHIGAN, OHIO AND
INDIANA

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Third Region of the Office of Price Administration by General Order No. 61, it is hereby ordered:

ARTICLE I—COVERAGE OF THIS ORDER

SECTION 1. Products, transactions and area covered. This order applies to sales or purchases by any person of the categories of used lumber for which maximum prices are established in this order, when made for delivery in the following area: All of the State of Michigan; all of the State of Ohio with the exception of Hamilton, Scioto and Lawrence counties; and all of the State of Indiana with the exception of the following counties: Lake, Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

This order shall also apply to sales made from stock in this area for delivery outside of the area, if no dollar-and-cents ceiling prices have been issued under General Order No. 61 for the geographical location in which delivery is to be made.

ARTICLE II—DEFINITIONS

SEC. 2. *Used lumber.* Used lumber means lumber and lumber products which have been recovered from, and were at one time a part of, a building, structure or fabricated item made wholly or partially of lumber.

SEC. 3. *Categories of used lumber.* Maximum prices are established in this order for the categories of used lumber described below, including such lumber when run to standard or special patterns; but such descriptions are not intended to, and do not, include items customarily produced and sold as mouldings or millwork.

(a) *Boards.* Used lumber of less than 2" nominal thickness ("nominal thickness" means the thickness of the piece before planing. Actual thickness, after planing to produce an even and uniform surface, is generally $\frac{1}{4}$ " to $\frac{3}{8}$ " less than nominal thickness).

(b) *Dimension.* Used lumber of 2" nominal thickness.

(c) *Planks or small timbers.* Used lumber of over 2" and up to and including 4" nominal thickness and of 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8".

(d) *Large timbers.* Used lumber of nominal sizes larger than 6" x 8" also nominal thicknesses of more than 2" when wider than 12".

(e) *Flooring.* Used lumber planed to approximately $2\frac{3}{32}$ " thickness, and which has tongue and groove or other construction commonly used for flooring.

(f) *Plywood.* Three or more thin layers of lumber, glued together with the grain of each layer at an angle to that of the adjoining layer, to form a material having the general characteristics of a thin board, and which has been used.

(g) *Scrap lumber* is used lumber of any of the other categories described in this section which, because of defects in quality or deficiencies in size, does not meet the grade specifications in Section 4.

SEC. 4. *Grades.* The following are the grades of used lumber for which maximum prices are established by this order.

(a) *Grades of boards, dimension, planks and timbers.* (1) First grade used lumber in the form of boards, dimension, planks or timbers, which individually are at least 2 feet in length, and which are sound, strong, of uniform width and thickness, suitable for substantial construction purposes, free from loose or rotten knots, knot holes, and rot, and without other defects which might materially impair the strength of the piece.

(2) Second grade is used lumber in the form of boards, dimension, planks, or timbers, which individually are at least 5 feet in length, and which, though failing to qualify as first grade, are reasonably good construction lumber. They must be free from rot, but may contain loose knots, knotholes or other defects which do not interfere with their use for construction purposes. Each piece must show more than 50 percent first grade lumber in lengths of at least 5 feet.

(b) *Grades of flooring.* (1) Reclaimed flooring is used flooring of standard $2\frac{3}{32}$ " thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue may be missing on any piece nor more than 25 percent of the lower surface representing the under part of the groove.

(2) Unreclaimed flooring is used flooring which meets the specifications for reclaimed flooring except that nails or other foreign matter have not been removed.

(c) *Grades of plywood.* (1) First grade is used plywood which is firmly bonded, free from rot, splits, foreign matter and holes other than nail holes, in pieces of square or rectangular shape at least four square feet in size, and having at least one smooth face suitable for painting.

(2) Second grade is used plywood in pieces at least two square feet in size, reasonably free from splits, holes and foreign matter, so that at least 75 percent of the piece meets the specifications for prime grade (except for size and shape).

SEC. 5. *Persons.* The term "person" includes an individual, corporation, partnership, association or any other organized group of persons, or their legal successors or representatives; the United States, or any government, or any of its political subdivisions, or any agency of the foregoing.

SEC. 6. *Sales.* "Sale" includes a barter, exchange, lease or transfer, and an agreement or offer to sell, barter, exchange, lease or transfer.

SEC. 7. *Established yard.* Seller's established yard means premises occupied by the seller for the purpose of regularly and continually maintaining a stock of new and/or used lumber from various unrelated sources of supply.

ARTICLE III—SPECIFIED REQUIREMENTS

SEC. 8. *Posting ceiling prices.* Every person selling used lumber for delivery in, or from stocks located in, the area covered by this order shall obtain from the Office of Price Administration at least two copies of the price schedules fixed in this order. One copy of such order must be posted and maintained in a prominent place at or near each location in the area where used lumber is offered for sale, in such manner that it can be easily read, and that purchasers can approach it within a distance of two feet. One other copy must be kept available so that it may be shown to and read by any customer at his request.

SEC. 9. *Sales slips and receipts.* Where a sale of used lumber is covered by this order and the total price of the sale is \$5 or more, the seller shall, regardless of his previous practice and whether or not requested by buyers, give to the buyer a sales slip, bill, receipt, or other written evidence of the sale, setting forth the following:

Name and address of seller.
Buyer's name.

Place of delivery.

Location from which stock is sold (seller's yard or site other than seller's yard).

Description of items sold and itemized prices (in terms of categories, grades, lengths, quantities and any other specification affecting the price).

Total price.

Additions (for delivery or other extra).

SEC. 10. *Records and reports.* Every person who makes a sale of used lumber shall keep a record of such a sale showing the name of the buyer and place of delivery, date of the sale, the grades sold, the quantities sold and the price charged in the same detail as required in section 9. Such records shall be kept for a period of two years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever be the shorter.

ARTICLE IV—PROHIBITED PRACTICES AND PENALTIES

SEC. 11. *Sales of used lumber at higher than maximum prices, prohibited.* (1) On and after the effective date of this order, regardless of any contract or obligation, no person shall make a sale or delivery of used lumber of the varieties covered by this order and no person shall buy or receive such used lumber under a sale, at prices higher than the maximum prices fixed by this order; and no person shall agree, offer, or attempt to do any of these things.

(2) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 12. *Prohibited practices.* Any practice which is designed to get the effect of a higher than ceiling price is as much a violation of this order as a direct over-the-ceiling charge. Such practices include, but are not limited to, the following:

(1) Getting the effect of a higher price by changing the credit practices from what they were in March 1942. This includes decreasing credit periods, or making greater charges for extension of credit.

(2) Refusing to sell except in small quantities, or with or without delivery under circumstances which bring the seller an extra return.

(3) Wrongly grading used lumber for which maximum prices are fixed in this order; or incorrectly or incompletely recording the information required by section 9 to be set forth on the sales slip, receipt or other evidence of sale.

(4) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(5) Charging, paying or receiving a commission for the service of procuring, buying, selling or locating used lumber covered by this order, or for any related service which does not involve actual physical handling of used lumber, if the commission plus the purchase price results in a total payment by the buyer of such used lumber which is higher than the maximum price permitted by this order. For the purpose of this order, a commission is any compensation, however designated, which is paid, wholly or in part, for the procurement of lumber, and which is based directly or indirectly on the quantity, price or value of the

lumber in connection with which the service is rendered.

SEC. 13. Penalties. (1) Any person violating any provision of this order is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for in the Emergency Price Control Act of 1942, as amended.

(2) Any person making a sale of used lumber covered by this order for which the total price is higher than \$5 and who either fails to give the buyer a sales slip, paid bill, receipt or other evidence of sale, or, although such document is given, fails to set forth in it the information required to be set forth by Section 9, so that a determination can be made as to whether or not the price charged was proper, shall be limited to making a charge of \$5 per M'BM for all lumber delivered under such sale. The application or enforcement of this provision to a sale or against a seller shall not exclude the application or enforcement of the penalties provided in paragraph (a) of this section.

ARTICLE V.—MAXIMUM PRICES

SEC. 14. Ceiling prices for any category of used lumber for which maximum prices are not fixed in this order are subject to the General Maximum Price Regulation.

SEC. 15. Maximum prices—(1) Local sales out of the seller's established yard. The maximum prices set forth in the table herewith shall apply to all sales of used lumber of the categories covered by this order, when the used lumber, at the time the order is taken, is part of a stock at the seller's established yard, and delivery is made either at the yard, or by truck, within a radius of 40 miles of such yard. If rail shipment, either by the seller or buyer, is to be made, see paragraph (c) (2) of this section.

(2) Local sales from site other than the seller's established yard: When a sale is made for delivery from stock located at a site other than the seller's established yard, and delivery is made either at the site, or by truck within a radius of 40 miles of such site, the maximum prices applicable to such sale shall be \$2 per M'BM less than the prices set forth in the table below. If rail shipment, either by the seller or buyer, is to be made, see paragraph (c) (2) of this section.

(3) *Other than local sales—(a) When delivery is by truck.* When a sale is made for delivery by truck to the buyer at a point located farther than 40 miles from the place where the shipment originates, the maximum price applicable to such sale shall be \$5 per M'BM less than the price fixed for a local sale from such place under paragraphs (a) or (b) above.

(b) *When rail transportation is involved.* When a sale is made which involves shipment by rail of used lumber, either by the buyer or seller, from the seller's established yard or from a site other than such yard, the maximum price applicable to such sale shall be \$5 per M'BM less than the price fixed for a

local sale from such place under paragraphs (a) or (b) above.

SEC. 16. Additions for delivery. (1) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller may not charge for making the delivery.

(2) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, the seller may add a charge for delivery as follows:

(a) Where delivery is by common or contract carrier, the actual amount paid to the carrier by the seller may be charged.

(b) Where delivery up to 100 miles is by truck owned or controlled by the seller, the amount added for delivery may not be higher than ten cents per M'BM for each mile to place of delivery, but not for any part of the return trip. When truck delivery over 100 miles is to be made, the addition may not be more than ten cents per M'BM for each mile from the point of origin to the nearest possible point of rail loading-out plus the amount of rail transportation from there to destination.

(c) A minimum charge of 75 cents may be made on any delivery, where permissible charges do not amount to 75 cents.

(3) If the buyer elects to take delivery at the site of the lumber or at the seller's established yard, no reduction in price shall be required for that reason.

A. Boards, dimensions, planks and timbers. When cleaned of nails, bolts and other foreign material. Maximum prices per thousand board feet f. o. b. seller's yard.

TABLE I

Length	First grade				Second grade—5' and longer
	2' to 4'	5' to 16'	18' and 20'	20' and over	
Boards.....	\$24	\$42	\$42	\$42	\$35
Dimension.....	24	45	47	49	38
Plank and small timbers.....	24	47	48	50	40
Large timbers.....	24	48	48	51	41

When not cleaned of nails, bolts and other foreign material, deduct \$5 per M'BM from the above prices.

Where boards or dimension of first grade are remanufactured from timbers at the seller's "established yard" to American lumber standards, and newly surfaced on at least two opposite sides, an addition of \$7 per M'BM may be made to the prices in the table. When this addition has been made, the invoice must clearly indicate the item so reworked.

B. Flooring, any length, f. o. b. seller's yard: M'BM.

Reclaimed flooring..... \$50

Unreclaimed flooring..... 35

C. Maximum prices for used softwood plywood. Maximum prices per thousand square feet surface measure f. o. b. seller's yard.

Thickness	First grade	Second grade
1/4 inch.....	\$35	\$25
5/8 inch.....	49	34
1/2 inch.....	67	47
5/8 inch.....	80	56
3/4 inch.....	92	64

Intermediate thicknesses take the price of the next larger thickness listed.

D. For sales amounting in total for all items to less than \$10, the prices A, B and C may be increased by 10 percent.

E. Scrap lumber—\$5 per thousand board feet.

This order may be amended, modified or revoked at any time.

This order shall be effective November 18, 1945.

Issued: November 8, 1945.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 45-22040; Filed, Dec. 7, 1945; 2:49 p. m.]

[Region III Order G-2 Under Gen. Order 61]

USED LUMBER IN WEST VIRGINIA, KENTUCKY, OHIO AND INDIANA

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Third Region of the Office of Price Administration by General Order No. 61 it is hereby ordered:

ARTICLE I—COVERAGE OF THIS ORDER

SECTION 1. Products, transactions and area covered. This order applies to sales or purchases by any person of the categories of used lumber for which maximum prices are established in this order, when made for delivery in the following areas: All of the State of West Virginia; all of the State of Kentucky; that part of Ohio covered by Hamilton, Scioto and Lawrence Counties; and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

This order shall also apply to sales made from stock in this area for delivery outside of the area, if no dollar-and-cents ceiling prices have been issued under General Order No. 61 for the geographical location in which delivery is to be made.

ARTICLE II—DEFINITIONS

SEC. 2. Used Lumber. Used lumber means lumber and lumber products which have been recovered from, and were at one time a part of, a building, structure or fabricated item made wholly or partially of lumber.

SEC. 3. Categories of used lumber. Maximum prices are established in this order for the categories of used lumber described below, including such lumber when run to standard or special patterns; but such descriptions are not intended to, and do not, include items customarily produced and sold as moldings or millwork.

(a) *Boards.* Used lumber of less than 2" nominal thickness ("nominal thickness" means the thickness of the piece before planing. Actual thickness, after planing to produce an even and uniform surface, is generally $\frac{1}{4}$ " to $\frac{3}{8}$ " less than nominal thickness).

(b) *Dimension.* Used lumber of 2" nominal thickness.

(c) *Planks or small timbers.* Used lumber of over 2" and up to and including 4" nominal thickness and of 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8".

(d) *Large timbers.* Used lumber of nominal sizes larger than 6" x 8"; also

nominal thicknesses of more than 2" when wider than 12".

(e) *Flooring*. Used lumber planed to approximately $2\frac{1}{32}$ " thickness, and which has tongue and groove or other construction commonly used for flooring.

(f) *Plywood*. Three or more thin layers of lumber, glued together with the grain of each layer at an angle to that of the adjoining layer, to form a material having the general characteristics of a thin board, and which has been used.

(g) *Scrap lumber*. Used lumber of any of the other categories described in this section which, because of defects in quality or deficiencies in size, does not meet the grade specifications in section 4.

SEC. 4. *Grades*. The following are the grades of used lumber for which maximum prices are established by this order.

(a) *Grades of boards, dimension, planks and timbers*. (1) First grade is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 2 feet in length, and which are sound, strong, of uniform width and thickness, suitable for substantial construction purposes, free from loose or rotten knots, knot holes, and rot, and without other defects which might materially impair the strength of the piece.

(2) Second grade is used lumber in the form of boards, dimension, planks, or timbers, which individually are at least 5 feet in length, and which, though failing to qualify as first grade, are reasonably good construction lumber. They must be free from rot, but may contain loose knots, knotholes or other defects which do not interfere with their use for construction purposes. Each piece must show more than 50 percent first grade lumber in lengths of at least 5 feet.

(b) *Grades of flooring*. (1) Reclaimed flooring is used flooring of standard $2\frac{1}{32}$ " thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue may be missing on any piece nor more than 25 percent of the lower surface representing the under part of the groove.

(2) Unreclaimed flooring is used flooring which meets the specifications for reclaimed flooring except that nails or other foreign matter have not been removed.

(c) *Grades of plywood*. (1) First grade is used plywood which is firmly bonded, free from rot, splits, foreign matter and holes other than nail holes, in pieces of square or rectangular shape at least four square feet in size, and having at least one smooth face suitable for painting.

(2) Second grade is used plywood in pieces at least two square feet in size, reasonably free from splits, holes and foreign matter, so that at least 75 percent of the piece meets the specifications for prime grade (except for size and shape).

SEC. 5. *Persons*. The term "person" includes an individual, corporation, partnership, association or any other organized group of persons, or their legal

successors or representatives; the United States, or any government, or any of its political subdivisions, or any agency of the foregoing.

SEC. 6. *Sales*. "Sale" includes barter, exchange, lease or transfer, and an agreement or offer to sell, barter, exchange, lease or transfer.

SEC. 7. *Established yard*. Seller's established yard means premises occupied by the seller for the purpose of regularly and continually maintaining a stock of new and/or used lumber from various unrelated sources of supply.

ARTICLE III—SPECIFIC REQUIREMENTS

SEC. 8. *Posting ceiling prices*. Every person selling used lumber for delivery in, or from stocks located in, the area covered by this order shall obtain from the Office of Price Administration at least two copies of the price schedules fixed in this order. One copy of such order must be posted and maintained in a prominent place at or near each location in the area where used lumber is offered for sale, in such manner that it can be easily read, and that purchasers can approach it within a distance of two feet. One other copy must be kept available so that it may be shown to and read by any customer at his request.

SEC. 9. *Sales slips and receipts*. Where a sale of used lumber is covered by this order and the total price of the sale is \$5 or more, the seller shall, regardless of his previous practice and whether or not requested by buyers, give to the buyer a sales slip, bill, receipt, or other written evidence of the sale, setting forth the following:

Name and address of seller
Buyer's name
Place of delivery
Location from which stock is sold (seller's yard or site other than seller's yard)
Description of items sold and itemized prices (in terms of categories, grades, lengths, quantities and any other specification affecting the price)
Total price
Additions (for delivery or other extra)

SEC. 10. *Records, and reports*. Every person who makes a sale of used lumber shall keep a record of such sale showing the name of the buyer and place of delivery, date of the sale, the grades sold, the quantities sold and the price charged in the same detail as required in section 9. Such records shall be kept for a period of two years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever be the shorter.

ARTICLE IV—PROHIBITED PRACTICES AND PENALTIES

SEC. 11. *Sales of used lumber at higher than maximum prices prohibited*. (a) On and after the effective date of this order, regardless of any contract or obligation, no person shall make a sale or delivery of used lumber of the varieties covered by this order and no person shall buy or receive such used lumber under a sale, at prices higher than the maximum prices fixed by this order; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 12. *Prohibited practices*. Any practice which is designed to get the effect of a higher than ceiling price is as much a violation of this order as a direct over-the-ceiling charge. Such practices include, but are not limited to, the following:

(a) Getting the effect of a higher price by changing the credit practices from what they were in March 1942. This includes decreasing credit periods, or making greater charges for extension of credit.

(b) Refusing to sell except in small quantities, or with or without delivery under circumstances which bring the seller an extra return.

(c) Wrongly grading used lumber for which maximum prices are fixed in this order; or incorrectly or incompletely recording the information required by section 9 to be set forth on the sales slip, receipt or other evidence of sale.

(d) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(e) Charging, paying or receiving a commission for the service of procuring, buying, selling or locating used lumber covered by this order, or for any related service which does not involve actual physical handling of used lumber, if the commission plus the purchase price results in a total payment by the buyer of such used lumber which is higher than the maximum price permitted by this order. For the purpose of this order, a commission is any compensation, however designated, which is paid, wholly or in part, for the procurement of lumber, and which is based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 13. *Penalties*. (a) Any person violating any provision of this order is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for in the Emergency Price Control Act of 1942, as amended.

(b) Any person making a sale of used lumber covered by this order for which the total price is higher than \$5 and who either fails to give the buyer a sales slip, paid bill, receipt or other evidence of sale or, although such document is given, fails to set forth in it the information required to be set forth by section 9, so that a determination can be made as to whether or not the price charged was proper, shall be limited to making a charge of \$5 per M'BM for all lumber delivered under such sale. The application or enforcement of this provision to a sale or against a seller shall not exclude the application or enforcement of the penalties provided in paragraph (a) of this section.

ARTICLE V—MAXIMUM PRICES

SEC. 14. Ceiling prices for any category of used lumber for which maximum prices are not fixed in this order are sub-

ject to the General Maximum Price Regulation.

SEC. 15. *Maximum prices.* (a) *Local sales out of the seller's established yard.* The maximum prices set forth in the table herewith shall apply to all sales of used lumber of the categories covered by this order, when the used lumber at the time the order is taken is part of a stock at the seller's established yard, and delivery is made either at the yard, or by truck, within a radius of 40 miles of such yard. If rail shipment either by the seller or buyer is to be made, see paragraph (c) (2) of this section.

(b) *Local sales from site other than the seller's established yard.* When a sale is made for delivery from stock located at a site other than the seller's established yard, and delivery is made either at the site, or by truck within a radius of 40 miles of such site, the maximum prices applicable to such sale shall be \$2 per M' BM less than the prices set forth in the table below. If rail shipment either by the seller or buyer is to be made, see paragraph (c) (2) of this section.

(c) *Other than local sales.* (1) *When delivery is by truck.* When a sale is made for delivery by truck to the buyer at a point located farther than 40 miles from the place where the shipment originates, the maximum price applicable to such sale shall be \$5 per M' BM less than the price fixed for a local sale from such place under paragraph (a) or (b) above.

(2) *When rail transportation is involved.* When a sale is made which involves shipment by rail of used lumber, either by the buyer or seller, from the seller's established yard or from a site other than such yard, the maximum price applicable to such sale shall be \$5 per M' BM less than the price fixed for a local sale from such place under paragraphs (a) or (b) above.

SEC. 16. *Additions for delivery.* (a) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller may not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, the seller may add a charge for delivery as follows:

(1) Where delivery is by common or contract carrier, the actual amount paid to the carrier by the seller may be charged.

(2) Where delivery up to 100 miles is by truck owned or controlled by the seller, the amount added for delivery may not be higher than ten cents per M' BM for each mile to place of delivery but not for any part of the return trip. When truck delivery over 100 miles is to be made, the addition may not be more than ten cents per M' BM for each mile from the point of origin to the nearest possible point of rail loading-out plus the amount of rail transportation from there to destination.

(3) A minimum charge of 75 cents may be made on any delivery, where the permissible charges do not amount to 75 cents.

(c) If the buyer elects to take delivery at the site of the lumber or at the seller's established yard, no reduction in price shall be required for that reason.

MAXIMUM PRICES FOR USED LUMBER

A. Boards, dimension, planks and timbers. When cleaned of nails, bolts and other foreign material. Maximum prices per thousand board feet f. o. b. seller's yard.

TABLE I

Lengths	First grade				Second grade 5' and longer
	2' to 4'	5' to 16'	18' to 20'	Over 20'	
Boards.....	\$22	\$37	\$37	\$37	\$30
Dimension.....	22	42	44	46	35
Plank and mall timbers.....	22	43	44	46	36
Large timbers.....	22	44	44	47	37

When not cleaned of nails, bolts and other foreign material, deduct \$5 per M' BM from the preceding figures.

Where boards or dimension of First Grade are remanufactured from timbers at seller's "established yard" to American Lumber Standards, and newly surfaced on at least two opposite sides, an addition of \$7 per M' BM may be made to the prices in the table. When this addition has been made, the invoice must clearly indicate the item so reworked.

B. Flooring, any length, f. o. b. seller's yard:

	Per M. b. m.
Reclaimed flooring.....	\$48
Unreclaimed flooring.....	\$33

C. Maximum prices for used softwood plywood. Maximum prices per thousand square feet surface measure f. o. b. seller's yard.

Thickness	First grade	Second grade
1/4 inch.....	\$35	\$25
5/8 inch.....	49	34
1 1/2 inch.....	67	47
5/8 inch.....	80	56
3/4 inch.....	92	64

Intermediate thicknesses take the price of the next larger thickness listed.

D. For sales amounting in total for all items to less than \$10, the prices A, B and C may be increased by ten per cent.

E. Scrap lumber—\$5 per thousand board feet.

This order may be amended, modified or revoked at any time.

This order shall be effective November 19, 1945.

Issued: November 8, 1945.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 45-22041; Filed, Dec. 7, 1945;
2:50 p. m.]

[Region III Rev. Order G-10 Under RMPR
122]

SOLID FUELS IN SOUTH BEND, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the

course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all domestic and quantity consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the South Bend, Indiana, Area, described as all the territory within St. Joseph County, Indiana.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-10 supersedes Order No. G-10 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-10 is hereby revoked as of the effective date of this Revised Order No. G-10. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-10.

(e) *Prices, discounts and service charges.* (1) This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which maximum prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL

Column I	Column II
1. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, and northeastern Tennessee). ¹	
A. Lump:	
1. Size group No. 1 (larger than 5') mine price classifications C through N.....	\$10.75
2. Size group No. 2 (larger than 3" but not exceeding 5"):	
a. Mine price classifications E through J.....	10.40
b. Mine price classifications K through O.....	10.20
B. Egg:	
1. Size group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller):	
a. Mine price classifications B through K.....	10.20
b. Mine price classifications L through N.....	9.80

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL—
Continued

Column I	Column II
I. High volatile bituminous coals from producing district No. 8—Con.	
B. Egg—Continued.	
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):	
2. Mine price classification A—	\$10.20
b. Mine price classifications B through L—	9.95
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications B through M—	9.70
C. Stove: Size group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller) Mine Price classifications B and lower—	9.70
D. Stoker: Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/8" and larger):	
1. Mine price classification A—	10.20
2. Mine price classifications B and lower—	9.95
E. To the prices stated in sections C and D of Part I may be added \$1.15 per ton provided the coal is mined in Subdistrict 6 of Producing District No. 8 and provided it is separately weighed and billed by the dealer. Subdistrict 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley:	A, B, 9.95
II. High volatile bituminous coals from producing district No. 11 (Indiana)	
A. Lump and egg: Size groups Nos. 1, 2 and 3 (bottom size larger than 2", washed or raw):	
1. Price group Nos. 6 and 14—	\$8.93
2. Price group Nos. 5, 13 and 20—	8.33
3. Price group Nos. 1 through 4, and 8 through 12	
a. Mine index No. 115 (Ditney Hill mine of the Ingle Coal Corp.)—	7.88
b. All other mines—	7.73
B. Raw nut and pea (stoker): Size group Nos. 9 through 12 (bottom size larger than 10 mesh or 3/8")	
1. Price group Nos. 6 and 14—	7.98
2. Price group Nos. 5, 13 and 20—	7.53
3. Price group Nos. 1 through 4, and 8 through 12	
a. Mine index No. 115 (Ditney Hill mine of the Ingle Coal Corp.)—	7.38
b. All other mines—	7.18
C. Screenings:	
1. Raw—Size group Nos. 13 and 14 (larger than 3/8" x 0 but not exceeding 2" x 0)	
a. Price group Nos. 8 through 12—	6.48
b. Price group No. 16—	6.68
2. Washed or air-cleaned—size group Nos. 23 and 24 (top size not exceeding 2")	
a. Price group Nos. 8 through 12—	6.78
b. Price group No. 16—	6.93
3. Dry Dedusted—size group Nos. 26 and 27 (top size not exceeding 2")	
a. Price group Nos. 8 through 12—	6.63
b. Price group No. 16—	6.88

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL—
Continued

Column I	Column II
III. High volatile bituminous coals from producing district No. 10 (Illinois):	
A. Lump and egg:	
1. Size group Nos. 1, 2 and 3 (bottom sizes larger than 2")	
a. Price group Nos. 1, 2 and 8—	\$8.95
b. Price group Nos. 10, 12, 13 and 16 through 26—	7.90
c. Price group Nos. 5 and 7—	8.20
2. Size group Nos. 4 and 5 (bottom size larger than 1 1/2" but not exceeding 2") price group Nos. 1, 2 and 8—	8.60
B. Stoker, nut and pea: Size group Nos. 9 through 12 (top size 2" and smaller x bottom size larger than 10 mesh or 3/8" but not exceeding 3/4") price group Nos. 1, 2 and 8—	7.85
C. Raw screenings: Size group No. 14 (top size larger than 3/8" x 0 but not exceeding 1 1/2" x 0) price group Nos. 1 and 2—	7.10
IV. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump or egg: size group Nos. 1 and 2 (bottom size large than 2")	
1. From subdistrict No. 5 (Hocking)—	9.86
2. From subdistrict No. 7 (Jackson)—	9.66
3. From subdistrict Nos. 8 (Pomeroy) 6 (Crooksville) and 4 (Middle)—	9.46
4. From subdistrict Nos. 1 (eastern Ohio) and 2 (Cambridge)—	9.26
B. Stoker: size group No. 5 (top size not exceeding 2" x bottom size larger than 10 mesh)	
1. From subdistrict No. 5 (Hocking)—	9.16
2. From subdistrict No. 7 (Jackson)—	9.06
3. From subdistrict Nos. 6 (Crooksville) and 8 (Pomeroy)—	8.86
4. From subdistrict No. 4 (Middle)—	8.96
5. From subdistrict Nos. 1 (eastern Ohio) and 2 (Cambridge)—	8.76
V. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia):	
A. Lump and egg: size group Nos. 1 and 2 (lump: bottom size larger than screened run of mine; egg: top size larger than 3" x bottom size no limit)	
1. Mine price classification A—	11.90
2. Mine price classifications, other—	11.50
B. Stove: size group No. 3 dedusted screenings; (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") (mine price classification A)—	11.50
C. Stoker: size group No. 5 (pea or dedusted screenings top size not exceeding 3/4" x bottom size smaller than 3/4") mine price classifications A through D—	10.35
VI. Anthracite (Pennsylvania Egg, stove and nut sizes)—	16.60

¹\$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) Discounts—(i) *Yard sales to dealers.* A discount of not less than \$1.00 per ton on the prices listed in Column II shall be given to dealers purchasing at the yard for resale.

(ii) *Quantity sales.* The following discounts on the prices listed in Column II shall be given on sales to quantity consumers:

(a) On sales to one purchaser in quantities of 25 tons or more, but less than 50 tons, pursuant to which delivery is made to one location—\$0.50 per ton

(b) On sales to one purchaser in quantities of 50 tons and over, pursuant to which delivery is made to one location—\$1.00 per ton

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Per ton
Carrying from curb—
Carrying up or down stairs (each flight)—
Service charge for deliveries in quantities of 1/2 ton—
Service charge for deliveries in quantities of 1/4 ton—
Forking of low volatile coals—

This order may be amended, modified or revoked at any time by the Office of Price Administration.

This order shall become effective November 7, 1945.

Issued: November 7, 1945.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 45-22031; Filed, Dec. 7, 1945;
2:46 p. m.]

[Region III Rev. Order G-18 Under
RMPR 122]

SOLID FUELS IN PARKERSBURG, W. VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Parkersburg, West Virginia Area, described as the city of Parkersburg, West Virginia and all territory in West Virginia adjacent to the corporate limits of said City and within five miles thereof.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-18 supersedes Order No. G-18 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-18 is hereby revoked as of the effective date of this Revised Order No. G-18. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-18.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which maximum prices are established; Column II lists maximum prices for cash or credit sales to domestic consumers on a direct delivery basis; and Column III lists maximum prices for cash or credit sales at the yard to domestic consumers and to other dealers purchasing for resale. All prices are for sales on a net ton basis.

SCHEDULE I

Column I	Column II	Column III
<i>I. High volatile bituminous coals from producing district No. 8 (Fairmont):</i>		
A. Size Group No. 1 (lump and double screened coals bottom size larger than 2") mine price classifications D through G:		
Orders and deliveries in lots of:	Per ton	Per ton
1 ton.....	\$6.23	\$5.38
2 tons.....	6.08	5.38
3 tons.....	5.98	5.88
4 tons.....	5.88	5.38
Less than 1 ton.....	6.71	5.33
B. Size group No. 2 (lump and double screened coals bottom size 2" and smaller) mine price classifications D through G:		
Orders and deliveries in lots of:		
1 ton.....	6.18	5.48
2 tons.....	6.08	5.48
3 tons.....	5.98	5.48
4 tons.....	5.88	5.48

¹ \$0.10 per ton may be added to the price of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

² Per cwt.

(2) *Schedule of service charges.* This schedule sets forth maximum prices

which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Shoveling as herein defined.....	\$0.50
Carrying or wheeling from curb.....	1.00
Carrying up or down stairs (each flight).....	1.00

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 20, 1945.

Issued: November 20, 1945.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 45-22032; Filed, Dec. 7, 1945;
2:47 p. m.]

[Region III Rev. Order G-26 Under RMPR
122]

SOLID FUELS IN MONROE, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers of specified solid fuels when sold and delivered within the Monroe, Michigan, Area, described as all the territory contained within a circle, the radius of which is five miles and the center of which is the intersection of Front and Monroe Streets, in the City of Monroe, Michigan.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-26 supersedes Order No. G-26 un-

der Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-26 is hereby revoked as of the effective date of this Revised Order No. G-26. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said regional supplementary orders shall not apply to this Revised Order No. G-26.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which maximum prices are established; Column II lists maximum prices for sales on a direct delivery basis when payment is made within thirty days from the date of delivery; and Column III lists maximum prices for sales on a direct delivery basis when payment is made more than thirty days from the date of delivery. All prices are for sales on a net ton basis.

SCHEDULE I.—SALES OF SOLID FUELS RECEIVED BY RAIL

Column I	Column II	Column III
1. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, Western Virginia and northeastern Tennessee):		
A. Lump:		
1. Size group Nos. 1 and 2 (larger than 3") mine price classifications A and B.....	\$10.35	\$10.85
2. Size group No. 2 (larger than 3" but not exceeding 5") mine price classifications C through N.....	9.80	10.30
B. Egg:		
1. Size group No. 3 (top size larger than 3" but not exceeding 6" x bottom size larger than 3" but not exceeding 4") mine price classifications C and D.....	10.35	10.85
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") mine price classifications B through K.....	9.65	10.15
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller), mine price classification A.....	9.35	9.85
C. Stoker—Size Group No. 10 (top size not exceeding 1 1/4" x bottom size 1 1/2" and larger):		
1. Mine price classifications A through E.....	9.40	9.90
2. Mine price classifications E and lower.....	8.45	8.95
D. To the prices stated in A, B, and C of part I above, may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8 and provided it is separately weighed and billed. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties of Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
II. High volatile bituminous coals from producing district No. 4 (Ohio):		
A. Lump and egg—from subdistrict No. 5 (Hocking):		
1. Size group No. 2 (lump: bottom size larger than 2" but not exceeding 5"; egg: bottom size larger than 2").....	9.16	9.66
2. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2").....	8.51	9.01

SCHEDULE I—SALES OF SOLID FUELS RECEIVED BY RAIL—Continued

Column I	Column II	Column III
III. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia): ¹		
A. Lump—Size group No. 1 (larger than screened run of mine), mine price classifications B and C.....	\$10.75	\$11.25
B. Egg—Size group No. 2 (top size larger than 3" x bottom size no limit): 1. Mine price classification A..... 2. Mine price classifications B through D.....	11.05 10.90	11.55 11.40
C. Stove—Size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3"), mine price classifications A through C.....	10.60	11.10
D. Nut—Size group No. 4 (top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4"), mine price classification A.....	10.10	10.60
E. Stoker—(pea or dedusted screenings) size group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4"), mine price classifications A through D.....	9.50	10.00
IV. Low volatile bituminous coals from producing district No. 8 (southeastern West Virginia and northwestern Virginia): ¹		
A. Egg—Size group No. 2 (top size larger than 3" x bottom size no limit), mine price classifications B and C.....	9.70	10.20

¹ \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts.* A discount of not less than 50¢ per ton on the prices listed in Columns II and III shall be given to domestic consumers purchasing at the yard in quantities of one-half ton or more.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel-in from curb.....	\$0.50
Carry from curb.....	.75
Carry up or downstairs (ea. flight).....	.25
Service charge for deliveries in quantities of 1/2 ton.....	.25

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 7, 1945.

Issued: November 7, 1945.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 45-22033; Filed, Dec. 7, 1945;
2:47 p. m.]

[Region III Rev. Order G-27 Under RMPR 122, Corr.]

SOLID FUELS IN MUNCIE, IND., AREA

On October 3, 1945 Revised Order No. G-27 under Revised Maximum Price Regulation No. 122 was duly issued by the Regional Administrator of Region III. Inadvertently, the treated price of

stoker size coal from Producing District No. 11 was omitted from said order. Accordingly, Section II of Schedule I in paragraph (e) (1) is hereby corrected to read as follows:

Column I	Column II
II. Bituminous coals from producing district No. 11 (Indiana):	
B. Stoker (bottom size larger than 10 mesh or 3/12"):	
1. Price group No. 6:	
a. Raw.....	\$7.38
b. Washed or air cleaned:	
i. Treated.....	7.63
ii. Untreated.....	7.53
2. Price groups Nos. 1 through 4 and 8 through 12:	
a. Raw.....	6.53
b. Washed or air cleaned:	
i. Treated.....	6.70
ii. Untreated.....	6.68

In the Schedule of Service Charges the words "per ton" were added to the service charge for 1/2 ton deliveries, thereby indicating a different maximum charge from that intended. Accordingly, the fifth service listed in the Schedule of Service Charges in paragraph (e) (3) is corrected to read as follows:

Service charge for 1/2 ton deliveries... \$.25

This correction shall become effective October 31, 1945.

Issued: October 31, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-22034; Filed, Dec. 7, 1945;
2:47 p. m.]

[Region III Rev. Order G-55 Under RMPR 122, Corr.]

SOLID FUELS IN ANN ARBOR, MICH., AREA

On October 3, 1945 Revised Order No. G-55 under Revised Maximum Price Regulation No. 122 was duly issued by the Regional Administrator of Region III. Inadvertently, a typographical error was made in this revised order listing the price of low volatile coal from Producing District No. 7, Mine Price Classifications B and C in Column II at \$10.25, whereas this price should have read \$10.05. Accordingly, Part II of Schedule I in paragraph (e) (1) of G-55 under Revised Maximum Price Regulation No. 122 is corrected to read as follows:

Column I	Column II	Column III
II. *		
A. *		
1. *		
2. Mine price classifications B and C.....	\$10.05	\$10.55

This correction shall become effective October 29, 1945.

Issued: October 29, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-22035; Filed, Dec. 7, 1945;
2:48 p. m.]

[Region III Rev. Order G-56 Under RMPR 122]

SOLID FUELS IN PONTIAC, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers of specified solid fuels when sold and delivered within the Pontiac, Michigan Area, described as all the territory within the townships of Pontiac, Waterford, West Bloomfield and Bloomfield in Oakland County, Michigan.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—is issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-56 supersedes Order No. G-56 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-56 is hereby revoked as of the effective date of this Revised Order No. G-56. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-56.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which maximum prices are established; Column II lists maximum prices for sales on a direct delivery basis when payment is made more than fifteen days after the date of delivery; and Column III lists maximum prices on a direct delivery

basis when payment is made within fifteen days after the date of delivery.

SCHEDULE I—SALES OF SOLID FUEL RECEIVED BY RAIL

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, northeastern Tennessee): ¹		
A. Lump:		
1. Size group Nos. 1 and 2 (larger than 3''):		
(a) Mine price classifications C through N	\$10.35	\$9.85
(b) Mine price classification O and lower	10.05	9.55
2. Size group No. 3, chunks (larger than 2" but not exceeding 3''), mine price classifications G through K	9.95	9.45
B. Egg:		
1. Size group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3'': top size larger than 6" x bottom size 2" and smaller), mine price classifications F through N	9.80	9.30
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3''), mine price classifications B through N	9.80	9.30
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller), mine price classifications G through M	9.80	9.30
C. Nut.—Size group No. 9 (top size larger than 1 1/4" but not exceeding 2" x bottom size smaller than 2"), mine price classifications B through D	9.45	8.95
D. Stoker—Size group No. 10 (top size 1 1/4" and smaller x bottom size 1 1/8" and larger), mine price classifications B and lower	10.10	9.60
E. To the prices stated in sections A, B, C and D of part I above may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 6 and provided it is separately weighed and billed. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.	11.75	11.25
II. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia): ¹		
A. Egg—Size group No. 2 (top size larger than 3" x bottom size no limit), mine price classifications A through C	11.40	10.90
B. Stove or dedusted screenings—Size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3"), mine price classification A	10.80	10.30
C. Nut or dedusted screenings—Size group No. 4 (top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4"), mine price classification A	10.35	9.85
D. Fee or dedusted screenings—Size group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4"), mine price classification A	11.15	10.65
III. Low volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, northeastern Tennessee): ¹		
A. Egg—Size group No. 2 (top size larger than 3" bottom size no limit), mine price classifications B and C	10.80	10.30
B. Stove or dedusted screenings—Size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3"), mine price classification D	16.25	15.75
IV. Anthracite (Pennsylvania) egg, stove and nut sizes		

¹ \$0.10 per ton may be added to the price of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special

services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel-in from curb	\$0.65
Carry from curb	.95
Carry up or downstairs (each flight)	.25
Service charge for deliveries in quantities of 1/2 ton	.50
Forking low volatile coals	1.00
Forking high volatile coals	.25

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 9, 1945.

Issued: November 9, 1945.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 45-22036; Filed, Dec. 7, 1945;
2:48 p. m.]

[Region III Order G-60 under RMPR 122]

SOLID FUELS IN ELYRIA, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales of specified solid fuels to domestic consumers and dealers purchasing for resale within the Elyria, Ohio, Area, described as the City of Elyria and certain territory adjacent thereto, bounded on the north by State Route No. 254, on the east by State Route No. 76, on the south by State Route No. 10, and on the west by West Ridge Road.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—is issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Area Order is

issued as an adopting order pursuant to the provisions of Basic Order No. G-74 under Revised Maximum Price Regulation No. 122. All applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this adopting order, and therefore said Regional Supplementary Orders shall not apply to this Order No. G-60.

(e) *Prices, discounts and service charges.* (1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which maximum prices are established, and Column II lists the maximum prices for delivered cash or credit sales to domestic consumers at any point in the area described herein. Credit terms are 30 days net.

SCHEDULE I—ELYRIA, OHIO, SOLID FUELS RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee): ¹	
A. Lump:	
1. Size group Nos. 1 and 2 (bottom size larger than 3''), mine price classification A	\$9.80
2. Size group No. 2 (bottom size larger than 3" but not exceeding 5''):	
a. Mine price classifications D through H	9.35
b. Mine price classifications J through N	9.15
B. Egg: Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3''), mine price classifications E and F	9.25
C. Stoker:	
Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/2" and larger), mine price classifications A through E	9.25
D. To the prices stated in sections A, B and C of part I may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8 and provided it is separately weighed and billed. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.	
II: High volatile bituminous coals from deep mines in producing district No. 2 (western Pennsylvania): ¹	
A. Lump: Size group Nos. 1 and 2 (larger than 2''), mine price classifications A through D	8.60
III. High volatile bituminous coals from producing district No. 3 (northwestern West Virginia excluding Panhandle): ¹	
A. Lump and egg:	
Size group No. 1 (lump and double-screened coals with bottom size larger than 2''):	
1. Mine price classification A	9.78
2. Mine price classifications F and G	8.53

SCHEDULE I—ELYRIA, OHIO, SOLID FUELS RECEIVED BY RAIL—Continued

Column I	Column II
IV. High volatile bituminous coals from deep mines in producing district No. 4 (Ohio):	
A. Lump and egg:	
1. Size group Nos. 1 and 2 (bottom size larger than 2''):	
a. Hocking, subdistrict No. 5.....	\$8.71
b. Middle, subdistrict No. 4 and Bergholtz, subdistrict No. 3.....	8.06
c. Eastern Ohio, subdistrict No. 1.....	7.96
2. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2''):	
a. Middle, subdistrict No. 4.....	8.01
b. Eastern Ohio, subdistrict No. 1.....	7.76
V. Low volatile bituminous coals from producing district No. 7 (southern West Virginia and western Virginia):	
A. Lump: Size group No. 1 (bottom size larger than that designated for screened run of mine), mine price classifications B and C.....	10.75
B. Egg: Size Group No. 2 (top size larger than 3" x bottom size no limit):	
1. Mine price classification A.....	10.80
2. Mine price classifications B and C.....	10.50
C. Stoker, pea or dedusted screenings: Size group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4"), mine price classification A.....	9.35
VI. Pennsylvania anthracite, egg, stove and nut sizes.....	16.60

¹ \$0.10 per ton may be added to the prices of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts.* (i) A discount of not less than \$.50 per ton on the prices listed in Column II shall be given to all dealers purchasing at the yard for resale.

(ii) A discount of not less than \$.50 per ton on the prices listed in Column II shall be given to domestic consumers purchasing at the yard in quantities of one ton or more.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carry in from curb..... \$1.00 per ton.
Wheel in from curb..... \$1.00 per ton.
Trimming..... \$0.90 per hour.
Service charge for deliveries in quantities of 1/2 ton..... \$0.50.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 20, 1945.

Issued: November 20, 1945.

JOHN F. KESSELL,
Regional Administrator.

[F. R. Doc. 45-22037; Filed, Dec. 7, 1945;
2:48 p. m.]

[Region III Order G-70 Under RMPR 122]

SPECIFIED SOLID FUELS IN WHEELING, W. VA., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Section 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold by dealers and delivered by truck from mines in Producing District No. 6 to domestic consumers within the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales of specified solid fuels to domestic consumers when sold and delivered within the Wheeling, West Virginia, Area, described as all the territory within the corporate limits of Wheeling, West Virginia.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, except as herein modified, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This order is issued as an adopting order pursuant to the provisions of Basic Order No. G-74 under Revised Maximum Price Regulation No. 122. All applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 have been incorporated in this adopting order, and therefore said Regional Supplementary Orders shall not apply to this Order No. G-70.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes

the solid fuel for which prices are established, Column II lists the maximum prices per ton applicable to all sales in quantities of 25 bushels or more, and Column III lists the maximum prices per bushel applicable to all sales of less than 25 bushels.

SCHEDULE I—SALES OF SOLID FUEL BY UNEQUIPPED DEALERS

Column I	Column II	Column III
High volatile bituminous coals from producing district No. 6 (West Virginia Panhandle) trucked from mine and delivered into bin of consumer:		
A. Lump and egg: Size group Nos. 1 and 2 (bottom size larger than 2''):		
1. From mine index Nos. 8 and 19 ¹	\$5.83	\$0.23
2. From other deep mines.....	5.43	.22
B. Egg, nut and stoker coals: size group Nos. 3, 4 and 5 (dump and double screened coals, bottom size 2" and smaller and all forked coal):		
1. From mine index Nos. 8 and 19 ¹	5.58	.22
2. From other deep mines.....	5.28	.21
C. Run of mine: size group No. 6 (mine run and resultants larger than 2" by 0 and double screened coal top size 2" and smaller):		
1. From mine index Nos. 8 and 19 ¹	5.18	.21
2. From other deep mines.....	4.73	.19

¹ Mine index Nos. 8 and 19 are the Costanza and the Richland Mines of the Warner Coal Corporation.

(2) *Discounts.* Discounts of not less than 50 cents per ton on the prices listed in Column II and 2 cents per bushel on the prices listed in Column III shall be given on all sales pursuant to which curb deliveries are made to domestic consumers.

(3) *Schedule of service charges.* (a) Service charges are as follows:

(i) A service charge of not more than 25 cents per ton on the prices listed in Column II, and not more than 1 cent per bushel on the prices listed in Column III, may be made when, in connection with the delivery, the solid fuel is wheeled in from the curb.

(ii) A service charge of not more than 50 cents per ton on the prices listed in Column II, and not more than 2 cents per bushel on the prices listed in Column III, may be made when, in connection with the delivery, the solid fuel is carried in from the curb.

(f) *Records.* Paragraph (1) of Basic Order No. G-74 under Revised Maximum Price Regulation No. 122 requires that records of all sales must be kept on file. This provision is modified as it applies to this adopting Order No. G-70 so as to provide that copies of all sales slips be kept in the cab of the dealer's truck for inspection for a period of sixty days after the date of delivery.

(g) *Posting of maximum prices.* Paragraph (m) of Basic Order No. G-74 under Revised Maximum Price Regulation No. 122 provides that each dealer shall post his maximum prices in his place of business. This provision is modified as it applies to this adopting order so as to require the posting of the dealer's maximum prices in the cab of his truck or trucks.

(h) Sales slips. Paragraph (n) of Basic Order No. G-74 under Revised Maximum Price Regulation No. 122 requires certain information to be shown on the sales slip given to the purchaser. This requirement is modified as it applies to this adopting order so as to require that, in addition, dealers covered by this adopting order must show:

- (i) The name of the mine operator.
- (ii) The mine index number.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 20, 1945.

Issued: November 20, 1945.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 45-22038; Filed, Dec. 7, 1945;
2:49 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51, were filed with the Division of the Federal Register December 3, 1945.

REGION I

Concord Order 9-F, Amendment 31, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover and Portsmouth. Filed 10:19 a. m.

Providence Order 3-F, Amendment 29, covering fresh fruits and vegetables in the Providence, Rhode Island Metropolitan area. Filed 10:20 a. m.

REGION II

Binghamton Order 2-F, Amendment 60, covering fresh fruits and vegetables in certain counties in New York. Filed 10:20 a. m.

New York Order 9-F, Amendment 41, covering fresh fruits and vegetables in the five Boroughs of New York City. Filed 10:20 a. m.

New York Order 10-F, Amendment 41, covering fresh fruits and vegetables in all of Nassau and Westchester counties, New York. Filed 10:20 a. m.

New York Order 13-F, Amendment 13, covering fresh fruits and vegetables in certain counties in New York. Filed 10:20 a. m.

REGION III

Indianapolis Order 14-F, Amendment 44, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe Counties. Filed 10:21 a. m.

Indianapolis Order 15-F, Amendment 44, covering fresh fruits and vegetables in Wayne, Delaware and Allen Counties. Filed 10:21 a. m.

Indianapolis Order 16-F, Amendment 44, covering fresh fruits and vegetables in the County of St. Joseph. Filed 10:21 a. m.

Indianapolis Order 17-F, Amendment 44, covering fresh fruits and vegetables in the County of Vanderburgh. Filed 10:22 a. m.

Indianapolis Order 18-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Indiana and College Corner, Ohio. Filed 10:22 a. m.

Indianapolis Order 19-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Indiana. Filed 10:22 a. m.

REGION IV

Atlanta Order 12-F, Amendment 5, covering fresh fruits and vegetables in the Metropolitan Atlanta-Decatur Trade area, Georgia. Filed 10:22 a. m.

Montgomery Orders 9-C, 10-C, 11-C, and 12-C, covering poultry in the Montgomery District area. Filed 10:18 a. m.

Nashville Order 14-F, Amendments 1 & 2, covering fresh fruits and vegetables in certain counties in Tennessee and the Municipality of Bristol, Va. Filed 10:23 a. m.

Nashville Orders 3-C & 4-C, covering poultry sold by Groups 1 & 2 & 3 & 4 Stores Stores in the Nashville area. Filed 10:23 a. m.

Nashville Orders 5-C and 6-C, covering poultry sold by Groups 1 and 2 and 3 and 4 Stores in the Nashville area. Filed 10:23 a. m.

Richmond Order 8-F, Amendment 6, covering fresh fruits and vegetables in the Norfolk and Richmond areas. Filed 10:19 a. m.

REGION V

Kansas City Order 11-F, Amendment 1, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 10:09 a. m.

New Orleans Order 3-F, Amendment 17, covering fresh fruits and vegetables in the State of Louisiana, Parishes of Orleans, St. Bernard & Jefferson except Grand Isle. Filed 10:09 a. m.

New Orleans Order 5-F, Amendment 9, covering fresh fruits and vegetables in the cities of Bossier City, Monroe, Shreveport & West Monroe, Louisiana. Filed 10:10 a. m.

New Orleans Order 6-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:10 a. m.

Oklahoma City Order 8-F, Amendment 3, covering fresh fruits and vegetables in Oklahoma, Pottawatomie, Garfield, Tulsa & Muskogee counties, Oklahoma. Filed 10:17 a. m.

REGION VI

Des Moines Order 4-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Iowa, & the city of South Sioux City in Nebraska. Filed 10:10 a. m.

Des Moines Order 5-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Iowa. Filed 10:11 a. m.

Des Moines Order 6-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Iowa. Filed 10:11 a. m.

Des Moines Order 7-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Iowa & the cities of Moline, East Moline, Rock Island, Silvis & Milan in Illinois. Filed 10:11 a. m.

Des Moines Order 1-O, Amendment 5, covering eggs in the cities of Des Moines, West Des Moines & Marshalltown, Iowa. Filed 10:11 a. m.

Des Moines 2-O, Amendment 1, covering eggs in Sioux City & Council Bluffs area. Filed 10:11 a. m.

Des Moines Order 3-O, Amendment 1, covering eggs in the Fort Dodge and Mason City area. Filed 10:12 a. m.

Des Moines 4-O, Amendment 1, covering eggs in Dubuque, Waterloo, Cedar Rapids, Clinton, Davenport, Burlington and Ottumwa areas. Filed 10:12 a. m.

Omaha Order 10-F, Amendment 36, covering fresh fruits and vegetables in the cities of Omaha, Nebraska and Council Bluffs, Iowa. Filed 10:12 a. m.

Omaha Order 11-F, Amendment 37, covering fresh fruits and vegetables in the city of Lincoln, Nebraska. Filed 10:12 a. m.

Omaha Order 13-F, Amendment 8, covering fresh fruits and vegetables in the cities of North Platte, Kearney, Grand Island, Hastings, Holdrege and McCook, Nebraska. Filed 10:13 a. m.

Peoria Order 7-F, Amendment 32, covering fresh fruits and vegetables in certain cities in the counties of Peoria Creve Coeur and Tazewell county. Filed 10:13 a. m.

Peoria Order 9-F, Amendment 33, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:13 a. m.

Peoria Order 11-F, Amendment 7, covering fresh fruits and vegetables in the county of Winnebago, Illinois. Filed 10:13 a. m.

Peoria Order 13-F, Amendment 3, covering fresh fruits and vegetables in Knoxville and

Galesburg in the county of Knox and State of Illinois. Filed 10:14 a. m.

Peoria Order 14-F, Amendment 3, covering fresh fruits and vegetables in certain cities in Will and Kankakee, counties. Filed 10:14 a. m.

Peoria Order 15-F, Amendment 3, covering fresh fruits and vegetables in the county of LaSalle, Illinois. Filed 10:14 a. m.

Peoria Adopting Order 12, Amendment 1, covering fresh fruits and vegetables in certain counties in Illinois. Filed 10:14 a. m.

Springfield Order 13-F, Amendment 37, covering fresh fruits and vegetables in the city of Springfield, Illinois. Filed 10:14 a. m.

Springfield Order 14-F, Amendment 38, covering fresh fruits and vegetables in the city of East St. Louis, Illinois, & the townships of Centerville, Sugar Loaf, Canteen & Stites in St. Clair county, Illinois. Filed 10:15 a. m.

Springfield Order 15-F, Amendment 38, covering fresh fruits and vegetables in the city of Decatur, Illinois. Filed 10:15 a. m.

Springfield Order 22-F, Amendment 4, covering fresh fruits and vegetables in the city of Quincy, Illinois. Filed 10:15 a. m.

REGION VII

Salt Lake City Orders 26 & 27, Amendment 1, covering dry groceries in the Salt Lake City, Ogden and Provo area. Filed 10:16 a. m.

Salt Lake City Orders 28 & 29, Amendment 1, covering dry groceries in the Cache, Carbon, Emery, Richfield, Cedar City, Southern Idaho, Evanston, and Wyoming area. Filed 10:16 a. m.

Salt Lake City Order 30, Amendment 1, covering dry groceries in Grand & San Juan counties: Unitah Basin, Kanab, St. George; Caliente, Nevada, & Fredonia, Arizona: Uinta & Lincoln counties, Wyoming. Filed 10:17 a. m.

Salt Lake City Order 31, Amendment 1, covering dry groceries in the Utah; Preston, Idaho area. Filed 10:17 a. m.

Salt Lake City Order 2-C, Amendment 6, covering poultry in the State of Utah. Filed 10:17 a. m.

Salt Lake City Order 6-W, Amendment 1, covering dry groceries in Salt Lake-Ogden-Provo area. Filed 10:17 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-21875; Filed, Dec. 5, 1945;
4:35 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1202]

BUFFALO NIAGARA ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of December 1945.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder by Buffalo Niagara Electric Corporation ("Buffalo Niagara"), a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The

United Corporation, a registered holding company. All interested persons are referred to said application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Buffalo Niagara proposes to issue and sell, pursuant to the competitive bidding provisions of Rule U-50, 350,000 shares of preferred stock having a par value of \$100 per share. Each bid for the stock shall specify the dividend rate, which shall be a multiple of $\frac{1}{16}$ th% but not greater than 4%, and the price to be paid to the company, which shall be not less than par value nor more than 102 $\frac{3}{4}$ % of such par value.

The proceeds from the sale of such preferred stock together with other funds of the company are to be used to redeem the 350,000 outstanding shares of the company's Preferred Stock, 5% series, at the redemption price of \$105 per share plus accrued dividends.

According to the filing, the approval of the Public Service Commission of the State of New York will be obtained with respect to the issue and sale of such preferred stock.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said application-declaration and that said application-declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission;

It is ordered. That a hearing on said application-declaration under the applicable provisions of the act and the rules of the Commission thereunder be held on December 18, 1945, at 11 a. m., e. s. t. in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing shall be held.

It is further ordered. That Charles S. Lobinger or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered. That the Secretary of the Commission shall serve, by registered mail, a copy of this order on Buffalo Niagara, Niagara Hudson Power Corporation, The United Corporation and the Public Service Commission of the State of New York; and that notice of said hearing be given to all other persons by publication of this order in the **FEDERAL REGISTER**. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before December 14, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered. That without limiting the scope of the issues presented by said application-declaration, partic-

ular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of preferred stock by Buffalo Niagara is solely for the purpose of financing the business of the company and has been expressly authorized by the State Commission of the state in which the company is organized and doing business.

(2) Whether the fees, commissions and other remuneration to be paid in connection with the proposed transactions are reasonable;

(3) Whether the proposed redemption by Buffalo Niagara of its outstanding Preferred Stock, 5% series, would affect the financial integrity of the company or would otherwise be detrimental to the public interest or the interests of investors or consumers or would tend to circumvent the provisions of the act or the rules, regulations or orders thereunder.

(4) Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound principles of accounting and meet the standards of the act.

(5) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions and, if so, what the terms and conditions should be.

By the Commission.

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 45-22064; Filed, Dec. 10, 1945;
9:48 a. m.]

[File Nos. 70-1194, 50-12]

PORTLAND ELECTRIC POWER CO. AND
PORTLAND GENERAL ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING
AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of December, 1945.

In the matter of Portland Electric Power Company, Portland General Electric Company, File No. 70-1194; Portland Electric Power Company, Portland General Electric Company, File No. 50-12.

Notice is hereby given that joint declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Portland General Electric Company (PGE) and Portland Electric Power Company (PEPCO), registered holding companies.

All interested persons are referred to said joint declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized as follows:

PGE and PEPCO propose to sell their capital stock interest in Seattle Gas Company (Seattle), a public utility subsidiary of PGE and PEPCO, together with the capital stock interest in Seattle

held by Cazadero Real Estate Company, a subsidiary whose entire capital stock is owned by PEPCO, which holdings aggregate 13,400 shares of Second Preferred stock and 2,840 shares of Common stock of Seattle. The joint declaration does not disclose the proposed consideration to be received for such securities nor does it disclose the person or persons to whom such securities are to be sold.

It is stated in the joint declaration, among other things, that Seattle is not a part of an integrated utility system such as exists in the properties of PEPCO and its subsidiaries; that it is contrary to the intent and purpose of section 11 of the Public Utility Holding Company Act of 1935 for PEPCO and PGE to own and hold such stocks of Seattle; that the proposed sale of the Seattle securities would not impair the advantages of any localized management or the effectiveness of regulation in that the declarants are subject to the regulation of the Public Utility Commissioner of Oregon, and Seattle is subject to the regulations of the Department of Public Service of the State of Washington.

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that a hearing be held with respect to said joint declaration and that said joint declaration should not be permitted to become effective except pursuant to further order of this Commission; and

It further appearing to the Commission that evidence bearing on the matters recited above and upon the questions to be determined is contained in the record of the proceedings before this Commission entitled "In the Matter of Portland Electric Power Company and Portland General Electric Company, File No. 50-12;" and

It further appearing that the trial examiner heretofore designated to preside at the hearing (File No. 50-12) is unable to preside at the time hereinafter mentioned and that a new trial examiner should be designated at the consolidated hearings herein:

It is ordered. That the proceeding in this matter (File No. 70-1194) and the proceeding heretofore instituted by the Commission (File No. 50-12) be and they hereby are consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on December 20, 1945, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing-room clerk in Room 318 will at that time designate. All persons desiring to be heard or otherwise wishing to participate in the consolidated proceedings shall file with the Commission, on or before December 18, 1945, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered. That the Secretary of the Commission shall serve notice of this order by mailing copies thereof by registered mail to Portland General

Electric Company, Portland Electric Power Company, Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, Debtor, Seattle Gas Company and to the Public Utility Commissioner of the State of Oregon and the Department of Public Service of the State of Washington, and that notice shall be given to all other persons by publication thereof in the **FEDERAL REGISTER**.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by the Commission for that purpose, be, and he is hereby, designated to preside at such consolidated hearing, in lieu of the trial examiner heretofore designated to preside at the hearing entitled "In the Matter of Portland Electric Power Company and Portland General Electric Company, File No. 50-12", and the said Richard Townsend is hereby granted all the powers heretofore granted to the trial examiner so heretofore designated.

It is further ordered, That without limiting the scope of the issues presented by said joint declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be received, if any, is fair and reasonable.

2. The identity of the purchaser, if any, and his interest, if any, in any public utility or holding company.

3. Whether competitive conditions have been or will be maintained.

4. Whether, in the light of the plan of recapitalization filed by Seattle under section 11 (b) of the act and now pending before the Commission, and in which proceeding the rights of the Second Preferred and Common stocks of Seattle are to be determined, it would be in the public interest and the interest of investors or consumers to permit the proposed sale by PEPCO and PGE of their securities in Seattle before the rights of the Second Preferred and Common stocks of Seattle are determined in said recapitalization proceeding.

5. The propriety of the accounting entries to be made on the books of the declarants in connection with the proposed transactions.

6. What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers, to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules or regulations or Orders promulgated thereunder.

7. Generally, whether the proposed transaction is in the public interest and in the interest of investors or consumers and will not tend to contravene or circumvent any provisions of the act or the rules, regulations, or orders promulgated thereunder.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings, or to consolidate with these proceedings other fil-

ings or matters pertaining to said consolidated proceedings or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 45-22063; Filed, Dec. 10, 1945;
9:48 a. m.]

[File No. 70-1206]

ENGINEERS PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of December, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Engineers Public Service Company ("Engineers"), a registered holding company.

All interested persons are referred to said document, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Engineers proposes to sell to W. C. Gilman, as representative of W. C. Gilman, R. Gilman Smith, G. L. Augustus, Charles E. Merrill for Merrill Trust No. 11 and H. C. Gaylay, all of the outstanding 15,000 shares of \$40 par value capital stock of The Western Public Service Company ("Western"), a public-utility subsidiary of Engineers. The consideration to be paid for such capital stock amounts to \$843,000, subject to certain adjustments as of the closing date. It is provided in the purchase agreement, dated December 3, 1945, that on or prior to the consummation of the aforesaid sale, Western will pay its demand note now held by Engineers in the principal amount of \$508,800.

Engineers has further requested the Commission to issue an appropriate order and findings in connection with the proposed transaction hereinabove described, conforming to the requirements of sections 373 (a) and 1808 (f) of the Internal Revenue Code, as amended.

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration and that said declaration should not be permitted to become effective except pursuant to further order by this Commission:

It is ordered, That a hearing on such matter under the applicable provisions of the act and the rules or regulations promulgated thereunder be held on December 21, 1945, at 11:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration should be permitted to become effective. All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's rules of practice on or before December 19, 1945.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission, designated by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c)

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 45-22060; Filed, Dec. 10, 1945;
9:48 a. m.]

of the act, and to a trial examiner under the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing copies thereof to the above named declarant and to all interested parties, said notice to be given to said declarant by mailing copies thereof by registered mail and to all other persons by publication in the **FEDERAL REGISTER**.

It is further ordered, That without limiting the scope of the issues presented by such declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the consideration to be received is fair and reasonable.

(2) The propriety of the accounting entries to be made on the respective records of the declarants in connection with the proposed transaction.

(3) The identities of the purchasers, and their interest, if any, in any other public-utility or holding company.

(4) Whether competitive conditions have been maintained.

(5) Whether the fees and expenses in connection with the proposed transaction are reasonable.

(6) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers, to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules and regulations or orders promulgated thereunder.

(7) Generally, whether the proposed transaction is in the public interest or in the interest of investors or consumers and will not tend to contravene or circumvent any provisions of the act or the rules or regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 45-22085; Filed, Dec. 10, 1945;
9:48 a. m.]

[File No. 70-1169]

SIoux CITY GAS AND ELECTRIC CO. AND
IOWA PUBLIC SERVICE CO.

ORDER GRANTING APPLICATION AND
DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of November A. D. 1945.

Sioux City Gas and Electric Company ("Sioux City"), a public utility and registered holding company, and its subsidiary, Iowa Public Service Company ("Iowa"), also a public utility and registered holding company, having filed a joint application and declaration and amendments thereto pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations thereunder with respect to:

(a) The issue and exchange by Sioux City of 2 shares of new common stock of the par value of \$12.50 per share in exchange for each share of outstanding

common stock of the par value of \$25.00 per share;

(b) The issue and sale by Sioux City pursuant to the competitive bidding provisions of Rule U-50 of (1) \$8,000,000 principal amount of First Mortgage and Collateral Trust Bonds, Series due 1975, (2) 38,000 shares of $\frac{1}{2}\%$ Cumulative Preferred Stock, subject to an offer of exchange for outstanding preferred stock of Sioux City and (3) 118,938 shares of common stock of the par value of \$12.50 per share, subject to the exercise of subscription warrants by the holders of outstanding common stock of Sioux City;

(c) The sale by Iowa pursuant to the competitive bidding provisions of Rule U-50 of its holdings of 34,068 shares of new common stock of Sioux City of the par value of \$12.50 per share;

(d) The amendment by Sioux City of its Articles of Incorporation in various respects;

(e) The use by Sioux City of the proceeds of the sale of its securities, together with other available funds as required, to make a cash adjustment in connection with the aforesaid exchange of preferred stock and to redeem and retire (1) its presently outstanding \$9,000,000 principal amount of First Mortgage Bonds $\frac{4}{5}\%$ Series Due 1966 at 103.5% of principal amount plus accrued interest and (2) such shares of its outstanding Seven Per Cent Cumulative Preferred Stock, which are not exchanged for new preferred stock, at the redemption price of \$110 per share; and

(f) The use by Iowa of the net proceeds from the sale of its holdings of common stock of Sioux City for the payment of capital improvements to its physical properties.

A public hearing having been held, after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That the said application and declaration, as amended, be and the same hereby are granted and permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

(1) That the proposed issuance and sale of bonds, preferred stock and common stock by Sioux City and the proposed sale by Iowa of its holdings of common stock of Sioux City shall not be consummated until the results of competitive bidding pursuant to the requirements of Rule U-50 have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose;

(2) That Sioux City Gas and Electric Company (hereinafter referred to as "the Company"), shall not pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution on, or purchase, or otherwise acquire for value, any of its common stock (each and all of these

transactions being hereinafter embraced in the term "payment of common stock dividends"), except as follows:

(a) If and so long as the ratio of the capital represented by the common stock, including premiums on the capital stock of the Company plus the surplus accounts of the Company to the total capital and surplus accounts of the Company at the end of the third calendar month immediately preceding the date of the proposed payment of common stock dividends adjusted to reflect the proposed payment of common stock dividends (which ratio is hereinafter referred to as "Capitalization Ratio") is less than 20%, then the payment of common stock dividends, including the proposed payment, during the twelve months' period ending with and including the date of the proposed payment, shall not exceed 50% of the net income of the Company applicable to the common stock of the Company during the twelve calendar months ending with and including the third calendar month immediately preceding the date of the proposed payment of common stock dividends;

(b) If and so long as such Capitalization Ratio is 20% or more, but less than 25%, then the payment of common stock dividends during the twelve months' period ending with and including the date of the proposed payment shall not exceed 75% of the net income of the Company applicable to the common stock of the Company during the twelve calendar months ending with and including the third calendar month immediately preceding the date of the proposed payment of common stock dividends;

(c) Except to the extent permitted by paragraphs (a) and (b), the Company shall make no payment of common stock dividends which would reduce such Capitalization Ratio to less than 25%.

For the purpose of the foregoing condition, the following definitions and adjustments shall be deemed applicable:

(A) The total capital of the Company shall be deemed to consist of the aggregate of the principal amount of all outstanding indebtedness of the Company represented by bonds, debentures, notes and other evidences of indebtedness maturing by their terms one year or more from the date of issue thereof, and the aggregate amount of stated or par value of all capital stock of all classes of the Company, including premiums on the capital stock of the Company;

(B) Surplus accounts upon which Capitalization Ratios are computed shall be adjusted to eliminate any and all amounts restricted in the earned surplus of the Company resulting from the requirements for maintenance and depreciation as embodied in the indenture securing the mortgage bonds of the Company;

(C) In computing net income of the Company applicable to the common stock of the Company for the purposes of this order, operating expenses, among other things, shall include the provisions for maintenance and depreciation as recorded on the books or the minimum provision for maintenance and depreciation embodied in the indenture secur-

ing the mortgage bonds of the Company, whichever is larger.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 45-22062; Filed, Dec. 10, 1945;
9:48 a. m.]

[File No. 70-1162]

UNION ELECTRIC CO. OF MISSOURI AND
UNION ELECTRIC LAND AND DEVELOPMENT
CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of December 1945.

Union Electric Company of Missouri (Union), a registered holding company, having filed an application pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, regarding (1) the proposed acquisition from Union Electric Land and Development Company (Subsidiary) of 90 purchase money notes aggregating \$90,882 and 4 rental notes aggregating \$192 subject to adjustment for payments on such notes between August 31, 1945 and the time of delivery from Subsidiary, and (2) the payment to Union of the remainder of Subsidiary's cash together with all of its other assets;

Said application having been filed on the 28th day of September, 1945 and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under the act and the Commission not having received a request for hearing with respect to the application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 9 (a) and 10 of the act and Rule U-43 thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the application;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act and rules thereunder and subject to the terms and conditions prescribed in Rule U-24, that said application be and the same is hereby granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 45-22061; Filed, Dec. 10, 1945;
9:49 a. m.]

[File No. 70-1204]

STATEN ISLAND EDISON CORP. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of December, 1945.

In the matter of Staten Island Edison Corporation, New York State Electric

& Gas Corporation, NY PA NJ Utilities Company, File No. 70-1204.

Notice is hereby given that joint applications or declarations (or both) have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by NY PA NJ Utilities Company ("NY PA NJ"), a registered holding company, its subsidiary, New York State Electric & Gas Corporation ("New York State"), and the latter's subsidiary, Staten Island Edison Corporation ("Staten Island"). All interested persons are referred to said applications or declarations (or both) which are on file in the offices of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

1. NY PA NJ will purchase from New York State for \$272,500 in cash 2,725 shares of the no par value non-cumulative participating preferred stock of Staten Island. Such shares constitute all the outstanding shares of preferred stock of Staten Island and are its sole voting stock.

2. The 2,725 shares of such preferred stock of Staten Island are to be reclassified into 2,725 shares of voting no par value common stock.

3. At present, Staten Island has outstanding 360,000 shares of non-voting no par value common stock, all of which are registered in the name of Day & Co., of which 100,000 shares are held in the treasury of Staten Island and the remaining 260,000 shares are beneficially owned by NY PA NJ. The 100,000 shares of treasury stock will be cancelled and eliminated and the 260,000 shares are to be reduced and reclassified into 130,000 shares of voting no par value common stock which will be registered in the name of NY PA NJ.

4. The earned surplus of Staten Island in the amount of \$2,241,899.79 as at October 31, 1945, together with the \$3,174,912.13 to be created by the reduction in the stated capital, will be transferred to the unearned surplus-special account which, as at October 31, 1945, was stated at \$4,025,087.87.

5. Staten Island will declare and pay, from the unearned surplus-special account, a dividend of \$995,437.50 upon the 132,725 shares of new common stock.

6. The balance of \$8,446,462.29 in the unearned surplus-special account of Staten Island, after payment of the above dividend, will be retained to absorb losses not otherwise provided for which may be inherent in the accounts of Staten Island as at October 31, 1945.

Applicants-declarants have designated sections 6 (a) (2), 7, 9 (a), 10, 12 (c), and 12 (f) of the act and Rules U-43 and U-46 as applicable to the proposed transactions and state that no Federal commission other than this Commission has jurisdiction over the proposed transactions and that the Public Service Commission of the State of New York, but no other state commission, has jurisdiction over certain of the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be held on the 20th day of December, 1945, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before December 19, 1945, his application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the consideration to be paid by NY PA NJ and received by New York State for the 2,725 shares of preferred stock of Staten Island is reasonable.

2. Whether the acquisition by NY PA NJ of the preferred stock of Staten Island will serve the public interest by tending toward the economical and efficient development of an integrated public utility system.

3. Whether the proposed reclassification of the preferred and common stocks of Staten Island and the accompanying accounting reorganization will result in an unfair or inequitable distribution of voting power among the holders of its securities or is otherwise detrimental to the public interest or the interest of investors or consumers.

4. Whether the proposed dividend payment by Staten Island is consistent with the applicable provisions of the Act and the rules promulgated thereunder.

5. The propriety of the proposed accounting treatment of the several transactions on the books of the respective applicants-declarants.

6. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors or consumers and consistent with all applicable requirements of the Act and the rules thereunder, or if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standard.

It is further ordered, That notice of this hearing be given to applicants-declarants and to all other interested persons; said notice to be given to said applicants-declarants and to the Public Service Commission of the State of New York by registered mail, and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for

FEDERAL REGISTER, Tuesday, December 11, 1945

releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 45-22066; Filed, Dec. 10, 1945;
9:49 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4471, 4481, 4488 and 4491, as amended, 49 Stat. 1384, 1544, 54 Stat. 163-167, 1028 (46 U.S.C. 375, 391a, 404, 464, 474, 481, 489, 369, 387, 526-526t, 463a), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

BUOYANT CUSHIONS

12" x 20" x 2" tufted rectangular kapok buoyant cushion for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-274, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

14" x 18" x 2" tufted rectangular kapok buoyant cushion for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-275, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

14" x 24" x 2" tufted rectangular kapok buoyant cushion for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-276, manufactured

by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

14" x 45" x 2" tufted rectangular kapok buoyant cushion for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-277, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

14" x 20" x 2" Fisherman's Pad kapok buoyant cushion for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-278, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

19" x 22" x 2" Bar Harbor kapok buoyant cushion for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-279, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

12" x 14" x 2" seat; 12" x 18" x 2" back, double kapok buoyant cushion for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-280, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

12" x 15" x 2" seat; 15" x 15" x 2" back, double kapok buoyant cushion (come apart style) for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-281, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

15" x 15" x 2" seat; 15" x 20" x 2" back, double kapok buoyant cushion (come apart style) for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, Approval No. B-282, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y.

15" x 15" x 2" buoyant cushion filled with 24 ounces of Typha (processed Cattail Floss), for use on motorboats of Classes A, 1, and 2, not carrying passengers for hire, for the duration of the National Emergency and six months thereafter, Approval No. B-283, man-

ufactured by W. L. Dumas Manufacturing Company, 14 A Street, N. W., Miami, Oklahoma.

FIRE RETARDANT MATERIALS FOR VESSEL CONSTRUCTION: PANELS FOR CLASS B BULKHEAD CONSTRUCTION

U.S.G. Marine Board, composition board with aluminum veneer on both sides (Dwg. No. CR-914, dated 16 July, 1945), minimum thickness $\frac{3}{8}$ ", approximate weight 4.16 pounds per sq. ft., submitted by United States Gypsum Company, Chicago, Illinois.

FIRE-INDICATING AND ALARM SYSTEM

Zonit system test station (Assembly Dwg. No. 66818A, Rev. A; Installation, Dwg. No. L-62353-D, Rev. D; Switch, Dwg. No. 33413-B, Rev. B), submitted by Walter Kidde & Co., Inc., 675 Main Street, Belleville, N. J. (The drawings listed above replace the drawings of the same items in all Zonit systems approved.)

LIFEBOATS

24' x 8' x 3.58' metallic motor-propelled lifeboat (36-person capacity) (Construction and Arrangement Dwg. No. 3009, dated 14 June, 1945, revised 16 October, 1945), submitted by Welin Davit and Boat Corporation, Perth Amboy, New Jersey.

14' x 5' x 2' metallic oar-propelled lifeboat (8-person capacity) (General Arrangement Dwg. No. 1416, dated 14 November, 1945), submitted by Lane Lifeboat and Davit Corporation, Foot of 40th Road, Flushing, New York. (Supersedes approval 25 October, 1945, 10 F.R. 13298)

Dated: December 7, 1945.

L. T. CHALKER,
Rear Admiral, U.S.C.G.,
Acting Commandant.

[F. R. Doc. 45-22070; Filed, Dec. 10, 1945;
9:57 a. m.]